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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 2948/2016

DEEPAN

..... Petitioner

Represented by: Mr. Deepak Dewan, Adv. with
petitioner.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Surender Pal Hudda.
Mr. Sunil Kumar Ojha, Adv.
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.10.2016

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By the present petition, the petitioner seeks quashing of FIR No.60/2011 under Sections 498A/406/34 IPC registered at PS Krishna Nagar on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that though initially three accused were arrayed in the FIR, however charge sheet was filed only against the petitioner. She further submits that respondent No.2 is only complainant/victim in the present FIR.

Respondent No.2 is present in Court and identified by learned counsel and the investigating officer. She submits that she has settled the matter with the petitioner and divorce by mutual consent has been granted between the parties. In terms of settlement, respondent no.2 was to receive a sum of ₹4 lakhs in lieu of all her claims in respect of maintenance, istridhan,

alimony etc. which she has already received. She further submits that minor child Bumishtha would remain in her care and custody and the petitioner is entitled to meet her twice in a month i.e. on second and fourth Saturdays. She further states that today she has also received the last policy in the name of minor child Bumishtha from the petitioner and she has now no claim whatsoever against the petitioner and she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirms the statement of respondent No.2 and states that he will abide by the terms of settlement arrived at between the parties.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.60/2011 under Sections 498A/406/34 IPC registered at PS Krishna Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 26, 2016/‘v mittal’