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

+ **CRL.M.C. 2964/2016**

RAKESH KUMAR RATTU & ORS

..... Petitioners

Represented by: Mr. Ankit Batra, Advocate with
petitioner Nos. 1 to 6 in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Kamal Kumar, PS
Okhla Industrial Area and SI/
Sakhi Ram, (Retired).
Mr. Rahul Khanna, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.09.2016

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Amended memo of parties along with the power of attorney by petitioner Nos. 7 and 8, that is, Rajesh Rattu and Archana Rattu in favour of Smt. Sunita, petitioner No.5 has been placed on record.

By the present petition the petitioners seek quashing of FIR No. 461/2006 under Sections 498A/406/34 IPC registered at PS Okhla Industrial Estate, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

The complainant/Respondent No. 2 Ms.Sunita Rattu is present in Court and is identified by the learned counsel and the Investigating Officer

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SI Sakhi Ram (Retired). She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 1 has paid a sum of ₹13.50 lakhs. Respondent No. 2 accepts receipt of payment of ₹13.50 lakhs in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. She also states that one child Anuj was born out of the wedlock who would remain in the custody of respondent No.2 and the petitioners would not have the visitation rights for the said child. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 to 6 and petitioner Nos. 7 and 8 through petitioner No.5 as their power of attorney are present in Court and are identified by their counsel. They state that they will abide by the terms of the settlement.

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. 461/2006 under Sections 498A/406/34 IPC
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registered at PS Okhla Industrial Estate, Delhi and proceedings pursuant thereto are hereby quashed.

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

The petitioners are directed to pay a sum of ₹5,000/- to the Investigating Officer SI Sakhi Ram (Retired) towards travelling expenses, who has since been retired and settled in Himachal Pradesh and has come for this case only.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 05, 2016

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