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

+ **CRL.M.C. 2914/2016**

AMIT KUMAR

..... Petitioner

Represented by: Mr. Bhuvneshwar Singh, Mr.
Kumar Dushyant Singh and
Ms.Pooja Singh, Advocates
with Petitioner in person.

versus

GOVT OF NCT OF DELHI

..... Respondent

Represented by: Ms. Rajni Gupta, APP for the
State with SI Ashok Kumar,
Traffic.
Mr. Mohd. Shahzad, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.08.2016

Crl.M.A. No.12517/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 2914/2016 and Crl. M.A. No.12516/2016 (Stay)

By the present petition the petitioner seeks quashing of FIR No. 289/2011 under Sections 498A/406 IPC and Section 4 of the Dowry Prohibition Act registered at PS Karawal Nagar, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that the petitioner is the only accused as the remaining six

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accused were kept in Column No.12 and besides the respondent No.2 there is no other complainant/victim in the present FIR.

The complainant/Respondent No. 2 Ms.Kamna is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioner and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement marriage between the Petitioner 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 has to pay a sum of ₹4 lakhs out of which ₹3 lakhs has already been paid to her and the balance amount of ₹1 lakhs has been paid to her today in Court vide Demand Draft No.042088 dated 27th July, 2016 drawn on Central Bank of India, Rasulabad, Kanpur, U.P. Respondent No. 2 accepts receipt of payment of ₹4 lakhs in lieu of settlement of all her claims towards the petitioner and she will make no claim for her maintenance. 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 is present in Court and is identified by the counsel states that he 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. 289/2011 under Sections 498A/406 IPC and Section 4 of the Dowry Prohibition Act registered at PS Karawal 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 12, 2016
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