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

+ **CRL.M.C. 2889/2016**

DEEPAK & ORS

..... Petitioner

Represented by: Mr. A.S. Rajput, Adv. with
petitioners.

versus

STATE (GOVT OF NCT OF DELHI) & ORS Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Roshan Lal, PS
Nangloi.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.09.2016

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By the present petition, the petitioners seek quashing of FIR No.266/2010 under Sections 498A/406/34 IPC registered at PS Nangloi on the complaint of respondent No.2 and proceedings pursuant thereto as parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the three persons were charge sheeted of which one Hemraj, father of petitioner No.1 and husband of respondent No.2 has since passed away, thus the petitioners are only accused and respondent No.2 is only complainant/victim.

Respondent No.2 is present in Court and is identified by the investigating officer. She states that she has settled the matter with the petitioners and in terms whereof divorce by mutual consent has already been

granted between petitioner No.1 and respondent no.2. In terms of settlement, she has received ₹1 lakh in lieu of all her claims towards maintenance, stridhan, permanent alimony etc. She further states that child Bharti born out of the wedlock on 16th May, 2006 would live in care and custody of petitioner No.1 and she will have her visiting rights which the parties will coordinate. She further submits that she does not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioners who are present in Court and identified by their counsel affirm the statement of respondent No.2 and state that they 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.266/2010 under Sections 498A/406/34 IPC registered at PS Nangloi, 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.

SEPTEMBER 28, 2016/‘v mittal’