

\$~32

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

+ **CRL.M.C. 2988/2016**

KULBIR SINGH & ANR.

..... Petitioner

Represented by: Mr. Sumit Gaba, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Sudhir PS Hari Nagar.
Mr. Abhishekh Kumar, Adv.
for R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.08.2016

%

By the present petition, the Petitioners seek quashing of FIR No. 1072/2014 under Sections 406/498-A/34 IPC registered at PS Hari 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 Investigating Officer states that besides the Petitioners there is no other accused involved in the FIR and besides Respondent No. 2 there is no other complainant/victim.

Respondent No. 2 is present in Court and is identified by her counsel and the Investigating Officer. She states that she has settled the matter with the petitioners and divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony the respondent No.2 is to receive a sum

CRL.M.C. 2988/2016

page 1 of 2

of ₹12,50,000/- out of which ₹8 lakhs has already been received and the balance amount of ₹4 lakhs has been received by way of demand draft No.'506386' drawn on ICICI Bank and ₹50,000/- in cash today before the Court. She states that she has no claim whatsoever against the petitioners any more. She further states that the minor child Harmeet Kaur born out of the wedlock will remain in her care and custody and the petitioner will be entitled to visitation rights as agreed 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. 1072/2014 under Sections 406/498-A/34 IPC registered at PS Hari Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

Parties state that they will abide by the terms of settlement arrived at between them and they have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 19, 2016

'ga'

CRL.M.C. 2988/2016

page 2 of 2