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

+ CRL.M.C. 2928/2016 and Crl. M.A. No. 12565/2016 (stay)

ANURAG GUPTA & ANR

..... Petitioner

Represented by: Mr. Devinder Chowdhary with
Mr. Vikas Goyal, Advs. with
petitioners.

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with Insp. Harjinder Rana,
CAW Cell/North West and ASI
Balwant Singh, PS CWC,
Nanakpura.
Mr. Sachin Bansal, Ms. Arti
Sharma, Advs. for R-2 with
R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.12.2016

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By the present petition, the petitioners seek quashing of FIR No.68/2009 under Sections 406/498A/34 IPC registered at PS Nanakpura 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 in the above noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned counsel and the investigating officer submits that she has settled the matter

before the Lok Adalat on 12th December, 2015 wherein their statements of petitioner No.1 and respondent No.2 were recorded. As per the settlement arrived at between the parties, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. Minor daughter Shubha Gupta aged about 12 years would remain in care and custody of respondent No.2 and the petitioners would neither have custody nor visitation right of the child. In lieu of all her claims regarding maintenance/istridhan/permanent alimony and maintenance of minor daughter Shubha Gupta, petitioner No.2 has transferred property bearing No.2429, Sector 57, Gurgaon, Haryana which was in the joint name of petitioner No.2 and respondent No.2 in the name of respondent No.2. Respondent No.2 further states that necessary 'No Objection Certificate' for mutation of the property in the name of respondent No.2 has also been provided by petitioner No.2. She says that she does not wish to pursue the above noted FIR and proceedings pursuant thereto and will abide by her statement recorded before the Lok Adalat on 12th December, 2015. Petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the statement of petitioner No.1 recorded by Lok Adalat on 12th December, 2015.

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.68/2009 under Sections 406/498A/34 IPC registered at PS Nanakpura, 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.

DECEMBER 20, 2016
‘v mittal’