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

+ **CRL.M.C. 2963/2016**

VIPIN TYAGI & ORS

..... Petitioners

Represented by: Mr. Sanjay Aggarwal and Ms.
Rekha Garg, Advocates with
petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the
State SI Jaswant Singh, Traffic,
TNC.
Mr. Ashish Malhotra, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
17.08.2016

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By the present petition the petitioners seek quashing of FIR No. 152/2009 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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 besides the petitioners mentioned in the memo of parties, there is no other accused and besides the respondent No.2 there is no other complainant/victim in the present FIR.

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

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She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise. In terms of the settlement, statement for first motion for divorce by mutual consent between respondent No.2 and petitioner No.1 has already been recorded. The child Suhani, aged five years approximately will be in the care and custody of respondent No.2. In terms of the settlement, as full and final settlement of all the claims of respondent No.2, that is, maintenance, streedhan and alimony etc., the Petitioners have agreed to pay a sum of ₹37.50 lakhs. Respondent No. 2 has already received a sum of ₹25 lakhs and a further sum of Rs. 4.50 lakhs has been received by her today in Court by way of Demand Draft No.279740 dated 11th August, 2016 drawn on The Delhi State Co-Operative Bank Ltd., Burari, Delhi. 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.

Petitioners, who are present in Court and are identified by their counsel 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. 152/2009 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, Delhi and proceedings pursuant
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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.

AUGUST 17, 2016
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