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

+ **CRL.M.C. 2974/2016**

DINESH & ORS

..... Petitioner

Represented by: Mr. Nasimuddin, Mr. Dinesh
Yaduvanshi, Advs.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Lakhi Singh, SI Shyam
Lal, PS Kalyan Puri.
Mr. Parmanand, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.11.2016

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By the present petition the petitioners seek quashing of FIR No. 130/2010 under Sections 498A/406/34 IPC registered at PS Kalyan Puri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the 7 petitioners are the accused and respondent No.2 the complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the

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matter with the petitioners and in terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc. the respondent No.2 was entitled to receive a sum of ₹1 lakh out of which she has already received ₹65,000/- and the balance amount of ₹35,000/- has been received by her by way of two cheques No.'016982'and '016982'drawn on Bank of India. She states that in case these two cheques are honoured she will have no claim whatsoever remaining against the petitioners and does not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement and ensure that the two cheques handed-over to respondent No.2 are duly honoured.

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. 130/2010 under Sections 498A/406/34 IPC registered at PS Kalyan Puri, 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.

NOVEMBER 10, 2016
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