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

+ **CRL.M.C. 3294/2016**

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..... Petitioner

Represented by: **Mr. B.S. Randhawa, Advocate**
with petitioner in person.

versus

STATE & ANR.

..... Respondents

Represented by: **Ms. Meenakshi Chauhan, APP**
for the State with **SI C.B.**
Sharma, PS New Usmanpur.
Mr. R.L. Sharma and Mr.
Neelam, Malik, Advocates for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.09.2016

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By the present petition the petitioner seeks quashing of FIR No. 426/2011 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS New Usmanpur, 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 Officers submits that in the above noted FIR six accused were named however, the charge sheet was filed only against the petitioner and rest of the five accused were kept in Column No.12. She also states that the

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respondent No.2 is the only complainant/victim in the above noted FIR.

The complainant/Respondent No. 2 Ms. Shalu who is present in Court and is identified by the learned counsel and the Investigating Officer states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise and in terms of the settlement divorce by mutual consent has already been granted between the petitioner and respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner has to pay a sum of ₹6 lakhs out of which she has already received a sum ₹5 lakhs and the balance amount of ₹1 lakh has been paid to her today in Court vide Demand Draft No. 672335 dated 22nd July, 2016 drawn on Allahabad Bank, Scindia House. She accepts the receipt of ₹6 lakhs. She further states that the girl child Vanshika born out of the wedlock would remain in the care and custody of respondent No.2 and the petitioner is not entitled to claim any visitation rights for her. She also states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the counsel affirms the statement made by respondent No.2 and states that he 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. 426/2011 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS New Usmanpur, 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 08, 2016
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