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

+ CRL.M.C. 3115/2016

PRADEEP KUMAR SHARMA & ORS Petitioner
Represented by: Mr. Uma Shankar, Adv. with
petitioner Nos. 1,3 and 4.

versus

STATE & ORS Respondent
Represented by: Mr. Ravi Nayak, APP with SI
Sudhir Rath, PS Subhash Place.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
28.09.2016

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By the present petition, the petitioners seek quashing of FIR No.488/1998 under Sections 498A/406/34 IPC and 3/4 Dowry Prohibition Act registered at PS Saraswati Vihar 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 initially nine persons were charge-sheeted however three persons were discharged and two had passed away and thus the four petitioners are only accused remaining facing the trial and respondent No.2 is only complainant/victim.

Respondent No.2 is present in Court and is identified by the investigating officer. She states that she has settled the matter with the petitioners and in terms thereof divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. Respondent No.2 has received a total sum of `2.15 lakhs by way of draft No.771002 dated 22nd September, 2016 drawn on Allahabad Bank, BNhel, Sector-1, Hardwar (Uttarakhand) in lieu of her all claims towards stridhan, maintenance, permanent alimony etc. and now she has no claim whatsoever remaining against the petitioners. She states that she will abide by the term of

settlement and does not wish to pursue the above noted FIR and the proceedings pursuant thereto. Petitioner Nos. 1, 3 and 4 who are present in Court and identified by their counsel, affirms the statement of respondent no.2 and states that they will abide by the terms of the settlement arrived at between the parties. Petitioner No.2 who is father of petitioner No.1 and suffering from brain tumour and not in a position to come to Court from Haridwar is exempted from appearing before this Court.

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.488/1998 under Sections 498A/406/34 IPC and 3/4 Dowry Prohibition Act registered at PS Saraswati Vihar, 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 28, 2016
‘v mittal’