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

+ CRL.M.C. 3514/2016

GAURAV NAGPAL & ORS.

..... Petitioner

Represented by: Mr. Rajeev Dhawan, Adv. with
petitioners.

versus

GOVERNMENT OF NCT OF DELHI & ANR. Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Jasmer Singh, PS
Jahangir Puri.
Ms. Sarika, Adv. for R-2 with
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.09.2016

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CrI.M.A. 14855/2016

Exemption allowed, subject to all just exceptions.

CrI.M.C. 3514/2016

By the present petition, the petitioners seek quashing of FIR 371/2007 under Sections 498A/406/34 IPC registered at PS Jahangir Puri on the complaint of respondent No.2 as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR, five petitioners are only accused and respondent No.2 is only complainant/victim.

Respondent No.2 is present in Court and is identified by her counsel and the investigating officer. She states that she has settled the matter with the petitioner and she has not claimed any amount towards her alimony, stridhan, dowry articles, maintenance etc. and would not claim the same in

future. Statement for first motion for divorce by mutual consent has already been recorded and she will cooperate with petitioner No.1 in seeking divorce by mutual consent by getting recorded her statement for second motion. She further states that she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and are identified by learned counsel affirm the statement made by respondent no.2 and submit that they will abide by the terms of settlement. Petitioner No.1 further states that he will cooperate with respondent No.2 in seeking divorce by mutual consent by getting recorded his statement for second motion.

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 371/2007 under Sections 498A/406/34 IPC registered at PS Jahangir 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.

SEPTEMBER 23, 2016/‘v mittal’