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

+ **CRL.M.C. 3123/2016**

LALIT & ORS

..... Petitioners

Represented by: Mr. Akshay Naagar, Advocate
with petitioners in person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Mukesh Kumar,
PS J.P. Kalan, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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07.09.2016

Crl. M.A. No.13419/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3123/2016

By the present petition the petitioners seek quashing of FIR No. 224/2015 under Sections 498A/406/34 IPC registered at PS Jaffarpur Kalan, 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 the three petitioners are the only accused and respondent No.2 is the only complainant/victim in the above noted FIR.

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The complainant/Respondent No. 2 Ms. Rajni is present in Court and is identified by the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise and the statement for the first motion for divorce by mutual consent has already been recorded between petitioner No. 1 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 No. 1 has to pay a sum of ₹4 lakhs out of which she has received a sum ₹1.50 lakhs at the time of recording of the statement for first motion for divorce by mutual consent and a further sum of ₹1 lakh has been paid to her today in Court vide Demand Draft No. 675606 dated 5th August, 2016 drawn on Indian Bank, Khandsa Road. She would be entitled to receive a further sum of ₹1.50 lakh at the time of recording the statement for second motion for divorce by mutual consent for which she would cooperate. 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 affirm the statement made by respondent No.2. Petitioner No.1 also states that he would cooperate in seeking divorce by mutual consent and get recorded the statement for second motion for divorce by mutual consent and at that time pay a sum of ₹1.50 lakhs as agreed between the parties. The petitioners further 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. 224/2015 under Sections 498A/406/34 IPC registered at PS Jaffarpur Kalan, 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 07, 2016

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