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

+ CRL.M.C. 3635/2016

DESH RAJ & ORS.

..... Petitioners

Represented by: Mr. Jitendra Singh, Advocate
with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Amit Ahlawat, APP for the
State with SI Roshan Lal, PS
Nangloi.
Mr. Dinesh Singhal, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **29.09.2016**

Crl. M.A. No. 15341/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3635/2016

By the present petition the petitioners seek quashing of FIR No. 400/2013 under Sections 498A/406/34 IPC registered at PS Nangloi, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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

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The complainant/Respondent No. 2 Ms.Hemlata 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 settled the matter. In terms of the settlement marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. 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 ₹4.75 lakhs besides the two gold rings and a lehnga out of which ₹3 lakhs and the articles have already been received by her and the balance amount of ₹1.75 lakh have been paid to her today in Court by way of Bankers' Cheque bearing No.373831 dated 29th September, 2016 drawn on State Bank of India, Najafgarh Road, Delhi. Respondent No. 2 accepts receipt of payment of ₹4.75 lakhs and the two gold rings and a lehnga in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. She also states 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 the learned counsel affirm the statement of respondent No.2 and state that they would abide by the terms of the settlement arrived.

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. 400/2013 under Sections 498A/406/34 IPC registered at PS Nangloi, 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 29, 2016
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