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

+ **CRL.M.C. 3145/2016**

NITIN GUPTA & ORS

..... Petitioner

Represented by: **Mr. Aditya Laroyia, Adv.**

versus

STATE & ANR

..... Respondent

Represented by: **Ms. Rajni Gupta, APP with SI
Jai Singh PS Tilak Nagar.
Mr. Bir Singh, Adv. for R-2
with R-2 in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.09.2016

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CrI.M.A. 13493/2016

Exemption allowed subject to just exceptions.

CRL.M.C. 3145/2016 & CrI.M.A. 13492/2016 (stay)

By the present petition, the Petitioners seek quashing of FIR No. 647/2014 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, Delhi on the complaint of Respondent No.2 as the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioners are the only accused and respondent No.2 the only complainant/ victim.

CRL.M.C. 3145/2016

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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 petitioners. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. Respondent No.2 is entitled to receive a sum of ₹12 lakhs as per the settlement, out of which she has already received a sum of ₹8 lakhs and the balance amount of ₹4 lakhs has been received by her today in Court by way of bankers cheque No.'199737' dated 1st September, 2016 drawn on SBI. She states that on receipt of the total amount of ₹12 lakhs she has now no claim whatsoever of any kind in regard to her maintenance, alimony, istridhan against the petitioners. She further states that the child Muskan Gupta born from the wedlock would remain in her custody and the petitioners would have no right of her custody nor any visitation rights. She does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel state that they would abide by the terms of settlement arrived at between the parties before the mediation centre, Tis Hazari Court on 29th April, 2015 copy whereof is annexed from pages 52 to 59 of the present petition.

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. 647/2014 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 01, 2016
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