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

+ **CRL.M.C. 3248/2016**

NARESH GOEL @ NARESH KUMAR & ORS.

..... Petitioner

Represented by: Mr. Avinash Trivedi, Ms.
Neelam Yadav, Advs.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Ravi Nayak, APP with ASI
Ajay Pal CAW Cell.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.10.2016

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By the present petition the petitioners seek quashing of FIR No. 142/2013 under Sections 498A/406/34 IPC registered at PS Kalyan Puri, 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 Investigating Officer submits that in the above-noted FIR the four petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner in terms of the settlement dated 17th September, 2015 copy whereof is annexed at pages 32-33 of the paper book. She states that divorce by mutual consent has been granted between the parties and

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now the respondent No.2 has no claim whatsoever against the petitioner in respect of her maintenance, istridhan, alimony etc. She further states that the child Tanul born from the wedlock would remain in the care and custody of the petitioner No.1 her ex-husband and she will neither claim the custody nor the visiting rights of the said child. She does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties.

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. 142/2013 under Sections 498A/406/34 IPC registered at PS Kalyan 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.

OCTOBER 21, 2016

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