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

+ W.P.(CRL) 2661/2016

SUNNY CHAUDHARY & ORS

..... Petitioner

Represented by: Mr. C. Parkash, Ms. Lata
Anand, Advs.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondent

Represented by: Mr. Avi Singh, ASC with HC
Anil Kumar, PS Keshav Puram.
Mr. Sandeep Gupta, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.10.2016

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By the present petition the petitioners seek quashing of FIR No. 651/2015 under Sections 498A/406/34 IPC registered at PS Keshav Puram, Delhi wherein pursuant to the statement of respondent No.2 under Section 164 Cr.P.C. Sections 376/354A/506 IPC were also added.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the five 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
W.P.(CRL) 2661/2016

page 1 of 3

matter with the petitioners in terms of the settlement deed dated 19th December, 2015. Divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony the petitioners have paid to the respondent No.2 a sum of ₹17 lakhs, which having been received the respondent No.2 has now no claim whatsoever of any kind against the petitioners and does not wish to pursue the abovementioned 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 vide settlement deed dated 19th December, 2015.

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 because allegations for offence punishable under Section 376 have been levelled by the respondent No.2 against the petitioner No.1 who was her husband.

Consequently, FIR No. 651/2015 under Sections 498A/406/376/354A/506/34 IPC registered at PS Keshav Puram, 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 27, 2016
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