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

+ **CRL.M.C. 3427/2016**

RAJ KUMAR GUPTA & ORS.

..... Petitioners

Represented by: Mr. Ashok K. Arya, Advocate
with petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Represented by: Ms. Rajni Gupta, APP for the
State with SI Yogesh Kumar,
PS Timarpur.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.09.2016

Crl. M.A. No. 14505/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 3427/2016

By the present petition the petitioners seek quashing of FIR No. 224/2014 under Sections 498A/406/34 IPC registered at PS Timarpur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

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 the respondent No.2 is the only complainant/victim in the

CRL.M.C. 3427/2016

Page 1 of 3

above noted FIR.

The complainant/Respondent No. 2 Ms. Pooja Gupta who is present in Court and is identified by the Investigating Officer states that the Petitioners and Respondent No.2/Complainant have entered into a Compromise and in terms of the settlement statement for first motion for divorce by mutual consent has already been recorded between petitioner No.1 and respondent No.2 and the next date for recording the statement for second motion for divorce by mutual consent before the learned Family Court is 27th September, 2016. The Respondent No.2 states that she will cooperate in the same and appear before the Family Court for getting her statement recorded. 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 ₹4.50 lakhs out of which she has already received a sum ₹3.50 lakhs and the balance amount of ₹1 lakh has been paid to her today in Court vide Mangers' Cheque No. 016671 dated 17th September, 2016 drawn on HDFC Bank, East Jyoti Nagar, Shahdara, Delhi. She accepts the receipt of ₹4.50 lakhs. She further states that the male child Love Gupta born out of the wedlock would remain in the care and custody of respondent No.2 and the petitioners are not entitled to claim any visitation rights for him. She also 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 the counsel affirm the statement made by respondent No.2 and state that they will abide by the terms of the settlement arrived at before the Delhi Mediation Centre,
CRL.M.C. 3427/2016

Tis Hazari Courts, Delhi.

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. 224/2014 under Sections 498A/406/34 IPC registered at PS Timarpur, 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 19, 2016

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