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

+ **CRL.M.C. 3608/2016**

PARVINDER KUMAR & ORS

..... Petitioners

Represented by: Mr. Vinod Gaur, Advocate
with petitioners in person.

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok K. Garg, APP for
the State with ASI Ramesh
Chand, PS Narela, Delhi.
Mr. K.K. Singh, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
27.09.2016

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By the present petition the petitioners seek quashing of FIR No. 465/2003 under Sections 498A/406/34 IPC registered at PS Narela, 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 on instructions from the Investigating Officer submits that in the above noted FIR the four petitioners are the only accused and the respondent No.2 is the only complainant/victim.

The complainant/Respondent No. 2 Ms. Madhulata Saini who is present in Court and is identified by the learned counsel and Investigating Officer states that the Petitioners and Respondent No.2/Complainant have

CRL.M.C. 3608/2016

Page 1 of 3

entered into a Compromise. 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 ₹5 lakhs out of which ₹3 lakhs have already been paid to her and the balance amount of ₹2 lakh has been paid to her today in Court by way of Demand Draft bearing No. 013134 dated 2nd September, 2016 drawn on Axis Bank Ltd., Hauz Khas, New Delhi. Respondent No. 2 accepts receipt of payment of ₹5 lakhs, in lieu of settlement of all her claims towards the petitioners and she will make no claim for her maintenance. She further states that the child Dhruv Saini born out of wedlock of petitioner No.1 and respondent No.2 would remain in her care and custody and the petitioners would not be entitled to the visiting rights of the child. 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.

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. 465/2003 under Sections 498A/406/34 IPC registered at PS Narela, 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 27, 2016

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