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

+ **CRL.M.C. 3374/2016**

SONU SHARMA & ORS.

..... Petitioner

Represented by: Mr. Rambir Singh, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Sunil Kumar PS
Narela.
Mr. K.C. Maini, Mr. Amardeep
Maini, Advs. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.09.2016

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By the present petition, the Petitioners seek quashing of FIR No. 7/2012 under Sections 498A/406/34 IPC registered at PS Narela, 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 all the 5 petitioners were named however the charge-sheet was filed only against petitioner No.1 and petitioner No.2 to 5 are kept in column No.12 and respondent No.2 is the only complainant/victim.

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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 and divorce by mutual consent between petitioner No1 and respondent No.2 has been granted. In terms of the settlement the respondent No.2 is entitled to receive a sum of ₹3 lakhs out of which she has already received ₹2 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No.'010861' drawn on Axis Bank. She further states that the child Bharat Sharma born out of the wedlock of the petitioner No.1 and respondent No.2 will live in the care and custody of respondent No.2 and the petitioners will not have the visiting rights of the child. She states that she has no more claims towards the petitioners in respect of maintenance, istridhan, alimony, etc. She prays that the above-noted FIR and the proceedings pursuant thereto be quashed.

Petitioners who are present in Court and are identified by the learned counsel affirms the statement of respondent No.2 and states that they will 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. 7/2012 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 15, 2016
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