

\$~51

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

+ **CRL.M.C. 3432/2016**

GURMIT SINGH & ORS

..... Petitioner

Represented by: Mr. CharanJit Singh, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Des Raj PS Vikas Puri.
Mr. Amarjeet Rai, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
19.09.2016

%

Crl.M.A. 14529/2016

Exemption allowed subject to just exceptions.

CRL.M.C. 3432/2016

By the present petition, the Petitioners seek quashing of FIR No. 291/2002 under Sections 498A/406/34 IPC registered at PS Vikas 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 besides the three petitioners there are no other accused in the above-noted FIR and besides the respondent No.2 there is no other complainant/ victim.

CRL.M.C. 3432/2016

page 1 of 3

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 petitioners and divorce by mutual consent has already been granted between the petitioner No.1 and respondent No.2. In terms of the settlement petitioners have agreed to pay a sum of ₹6,50,000/- out of which she has already received a sum of ₹ 5 lakhs and the balance amount of ₹1,50,000/- has been received by her today in Court by way of Manager's Cheque No.'005517' drawn HDFC Bank. She states that from the wedlock one child Kuljeet singh was born who is now a major. She further states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners No.2 and 3 are not present in Court as petitioner No.2 has undergone a surgery a week ago and is confined to bed and is being taken care of petitioner No.3 who herself is on bed-rest. Thus, petitioners No.2 and 3 are exempted from appearing before this Court. Petitioner No.1 who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2.

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. 291/2002 under Sections 498A/406/34 IPC registered at PS Vikas 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.

SEPTEMBER 19, 2016
'ga'