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

+ **CRL.M.C. 3754/2016**

SANJAY

..... Petitioner

Represented by: Ms. Mumtaz Ahmad and Ms.
Sunita Yadav, Advocates with
petitioners in person.

versus

STATE OF NCT & ANR

..... Respondents

Represented by: Mr.Ashok K. Garg, APP for the
State with SI Nepal Singh, PS
Fatehpur Beri.
Mr. Brijlal, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
18.11.2016

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By the present petition the petitioners seek quashing of FIR No. 116/2013 under Sections 406/498A/34 IPC registered at PS Fatehpur Beri, 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 submits that in the above noted FIR four petitioners are the only accused and the respondent No. 2 is the only complainant/victim.

The complainant/Respondent No. 2 Ms. Sarita, who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners as per the

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compromise deed dated 14th January, 2016, copy whereof is enclosed at pages 17 to 22 of the paper-book. 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 and the maintenance of the minor child Vanshika, the Petitioner No.1 has paid a sum of ₹11 lakhs and she has no claim whatsoever remaining against the petitioners. She also states that the minor child Vanshika born out of the wedlock of the petitioner No.1 and the respondent No.2 would remain in her care and custody and petitioners will neither have the custody nor the visiting rights. She states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 to 4 who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the compromise deed dated 14th January, 2016 arrived at between the parties.

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. 116/2013 under Sections 406/498A/34 IPC
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registered at PS Fatehpur Beri, 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.

NOVEMBER 18, 2016
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