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

+ **CRL.M.C. 4201/2016**

MANOJ RATURI & ORS

..... Petitioners

Represented by: Mr. Pradeep Tyagi, Advocate
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP
for the State with SI Shri
Gopal, PS Shakarpur.
Mr. Shiv Kumar, Advocate for
respondent No.2 with
respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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10.11.2016

Crl. M.A. No. 17504/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4201/2016

By the present petition the petitioners seek quashing of FIR No. 673/2011 under Sections 406/498A/34 IPC registered at PS Shakarpur, 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 the three petitioners are the only accused and the respondent No. 2 is the only complainant/victim.

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The complainant/Respondent No. 2 Ms. Roshni 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. 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 ₹2.75 lakhs out of which she has received ₹1.75 lakhs and the balance amount of ₹1 lakh has been paid to her as a FDR being FDR No.062209 dated 4th November, 2016 UCO Bank, Karkardooma Court in the name of the minor child Master Bhaskar and she has no claim whatsoever remaining against the petitioners. She further states that that the minor child Master Bhaskar, born out of the wedlock will remain in the care and custody of the respondent No.2 and the 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.

Petitioners 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 settlement 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. 673/2011 under Sections 406/498A/34 IPC registered at PS Shakarpur, 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 10, 2016

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