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

+ **CRL.M.C. 3822/2016**

PREM WATI & ORS.

..... Petitioners

Represented by: Mr. Om Prakash and Mr. G.P. Singh, Advocates with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Meenakshi Chauhan, APP for the State with SI Ashish Sharma, PS Sadar Bazar. Mr.S.P. Yadav, Advocate for respondent No.2 with respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.10.2016

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Crl. M.A. No. 15997/2016 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 213/2015 under Sections 498A/406/34 IPC registered at PS Sadar Bazar, 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 submits that in the above noted FIR the six petitioners are the only accused persons and the respondent No.2 is the only complainant/victim in the abovementioned FIR.

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The complainant/Respondent No. 2 Ms. Raj Laxmi is present in Court and is identified by the learned counsel and the Investigating Officer states that the Petitioners and Respondent No.2/Complainant have settled the matter. 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 ₹5.50 lakhs out of which ₹3.50 lakhs have already been received by her and the balance amount of ₹2 lakhs have been received by her today in Court by Demand Draft No.500614 dated 19th September, 2016 drawn on ICICI Bank, Connaught Place, Delhi. Respondent No. 2 accepts the receipt of ₹5.50 lakhs and states that she has no claim against the petitioners now. She also states that the child Arush, born out of the wedlock of the petitioner No.1 and respondent No.2 would remain in her care and custody and the petitioners have neither the custody nor the visiting rights of the child. She states that in terms of the settlement and 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

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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. 213/2015 under Sections 498A/406/34 IPC registered at PS Sadar Bazar, 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.

OCTOBER 07, 2016

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