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

+ CRL.M.C. 4070/2016

S HARVINDER SINGH & ORS.

..... Petitioner

Represented by: Mr. Manish Kapur, Adv. with
petitioners.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with W/SI Sumedha, PS
Jahangir Puri.
Mr. Pushpender Sehgal, Adv.
for R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.12.2016

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By the present petition, the petitioners seek quashing of FIR No.106/2011 under Sections 498A/406 IPC registered at PS CAW Cell, Nanakpura on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR four accused were arrayed out of which Amrik Singh father of petitioner No.1 has since passed away and thus three petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned counsel states that she has settled the matter with the petitioners before the Counselling Cell, Family Court, Tis Hazari Courts. In terms of settlement, she has received ₹4 lakhs in full and final settlement of all her claims towards maintenance/istridhan/permanent alimony etc. Divorce by mutual

consent has been granted between petitioner No.1 and respondent No.2. She states that child Jasleen Kaur born out of the wedlock will remain in her care and custody and petitioners would have neither custody nor visitation right of Jasleen Kaur. She does not wish to pursue the above noted FIR and proceedings pursuant thereto. Petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement dated 16th July, 2015.

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.106/2011 under Sections 498A/406 IPC registered at PS CAW Cell, Nanakpura, 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.

DECEMBER 02, 2016
‘v mittal’