

\$~36

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

+ CRL.M.C. 4424/2016 & CrI.M.A. 18488/2016

VINOD KAPARWAN & ORS.

..... Petitioner

Represented by: Mr. Thakur Sumit and Mr.
Kartikey Choudhary, Advs.
with petitioners.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Praveen Kumar, PS
Ranhola.
Mr. Manish K. Vaid, Adv. for
R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
28.11.2016

%

By the present petition, the petitioners seek quashing of FIR No.208/2012 under Sections 406/498A/34 IPC registered at PS Ranhola 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 the four petitioners are only accused and respondent No.2 the only complainant/victim.

Respondent No.2 is present in Court and identified by learned counsel and the investigating officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 10th April, 2015. Divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims towards

maintenance/istridhan/permanent alimony etc. respondent No.2 was entitled to receive ₹3 lakhs out of which she has already received ₹2 lakhs and balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No.042073 dated 15th November, 2016 drawn on Vijaya Bank, Azadpur, Delhi. She has now no claim whatsoever pending against the petitioners and thus she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The 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 10th April, 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.208/2012 under Sections 406/498A/34 IPC registered at PS Ranhola, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 28, 2016/‘v mittal’