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

+ **CRL.M.C. 4489/2016**

ANANT SANDHU & ORS

..... Petitioners

Represented by: Mr. Abhishek Singh and Mr.
Pavit Singh Kochar, Advocates
with petitioner Nos. 1 to 3 in
person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Asha, CWC,
Nanak Pura.
Mr. Vikas Kumar and Mr.
Rahul Jaryal, Advocates for
respondent No. 2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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02.12.2016

Crl. M.A. No. 18792/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4489/2016 and Crl. M.A. No. 18791/2016 (Stay)

By the present petition the petitioners seek quashing of FIR No. 30/2016 under Sections 406/498A/34 IPC registered at PS Crime Against Women Cell, Nanak Pura, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned APP for the State on instructions from the Investigating Officer submits that in the above noted FIR the six petitioners are the only accused and the respondent No. 2 is the only complainant/victim.

The complainant/Respondent No. 2 Ms. Surbhi Kochar, 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she has settled the matter with the petitioners vide Settlement Deed dated 19th November, 2016 in terms whereof she has withdrawn her complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and statement for divorce by mutual consent for the first motion has already been recorded. She states that in lieu of her claims, that is, maintenance, streedhan or alimony etc. the petitioner No.1 has to pay a sum of ₹20 lakhs out of which she has already received a sum of ₹12 lakhs and ₹4 lakhs have been received by her today by way of Cheque bearing No.000017 dated 2nd December, 2016 drawn on Bank of Baroda, East of Kailash, New Delhi. She further states that she is entitled to receive a further sum of ₹4 lakhs at the time of recording of the statement for second motion for divorce by mutual consent and on receipt of the said amount, she will not have any claim, whatsoever remaining against the petitioners. She states that in view of the settlement arrived at between the parties which she undertakes to comply, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1, 2 and 3 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 on 19th November, 2016, copy whereof is at pages 66 to 70 of the ***CRL.M.C. 4489/2016***

paper-book. Petitioner Nos. 4 and 5 who are presently in United Kingdom are exempted from appearing before this Court.

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. 30/2016 under Sections 406/498A/34 IPC registered at PS Crime Against Women Cell, Nanak Pura, 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 the application are disposed of.

Order dasti.

MUKTA GUPTA, J.

DECEMBER 02, 2016

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