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

+ **CRL.M.C. 4579/2016**

ANKIT SHARMA & ANR.

..... Petitioners

Represented by: Mr. Vikramjeet Singh Ranga,
Advocate for petitioner Nos. 1
and 2 with petitioners in
person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Amit Ahlawat, APP for the
State with ASI Lalthi Ram, PS
Dabri.
Mr Vishal Khodia, Advocate
for respondent No.2 with
respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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08.12.2016

Crl. M.A. No. 19176/2016 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 4579/2016

By the present petition the petitioners seek quashing of FIR No. 538/2014 under Sections 406/498A/34 IPC registered at PS Dabri, 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 from the Investigating Officer submits that in the above noted FIR the two petitioners are the only

CRL.M.C. 4579/2016

Page 1 of 3

accused and the respondent No. 2 is the only complainant/victim.

The complainant/Respondent No. 2 Ms. Nisha Sharma, 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 14th December, 2015 arrived at before the Mediation Centre, Dwarka Courts. In terms of the settlement marriage between the petitioner No.1 and respondent No.2 has already been dissolved by a decree of divorce by mutual consent. 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 ₹3 lakhs out of which she has already received a sum of ₹2.25 lakhs and ₹75,000/- has been received by her today in Court by way of Demand Draft No.035750 dated 29th November, 2016 drawn on Axis Bank Ltd, Palam Delhi and she has no claim, whatsoever remaining against the petitioners. She states that in view of the settlement arrived at between the parties she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner Nos. 1 and 2 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 14th December, 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. 538/2014 under Sections 406/498A/34 IPC registered at PS Dabri, 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 08, 2016/‘vn’