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

+ **CRL.M.C. 4695/2016**

RAMESH CHAND PAL & ORS.

..... Petitioner

Represented by: **Mr. C.M. Grover, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Mr. Ashok Kumar Garg, APP
with SI Omveer Singh, PS
Nand Nagri.**

Mr. H.P. Aditya, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.12.2016

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Crl.M.A.19555/2016

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1074/2006 under Sections 498A/406/34 IPC & Section 3&4 of Dowry Prohibition Act registered at PS Nand Nagri, 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 Investigating Officer submits that though initially 5 accused were arrayed in the above-noted FIR, however husband of the respondent No.2 Sanjeev Kumar passed away on 31st December, 2008 and now the trial is pending only against the four petitioners who are the parents-in-law , sister-in-law and brother-in-law of

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the complainant. He states that besides the complainant/ respondent No.2 there is no other victim.

Respondent No. 2 is present in Court and is identified by the learned counsel. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Karkardooma Courts on 20th August, 2016. She states that she has been living separately from her husband since 13th September, 2006 and after she got registered the above-noted FIR her husband Sanjeev Kumar passed away on 31st December, 2008. Thus she has settled the matter with the petitioners who are her parents-in-law, sister-in-law and brother-in-law. In lieu of all her claims of maintenance, istridhan and alimony the petitioners have agreed to pay a lump sum amount of ₹2 lakhs out of which she has already received a sum of ₹1,50,000/- of which she has prepared two FDRs one each in the name of Namrata and Deepanshu the two minor children and ₹50,000/- received by her are being utilized for the studies of her third child Purshottam. She further states that she has received the balance amount of ₹50,000/- today in Court by way of Pay order No.'850243' drawn on UCO Bank and having received the total amount of ₹2 lakhs she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted 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 will abide by the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Karkardooma Courts on 20th August, 2016 copy whereof is annexed as Annexure from pages 52 to 55 of the paper book.

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. 1074/2006 under Sections 498A/406/34 IPC & Section 3&4 of Dowry Prohibition Act registered at PS Nand Nagri, 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 19, 2016
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