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

+ **CRL.M.C. 4859/2016**

**RAJEEV KUMAR & ANR**

..... Petitioner

Represented by: Mr. Mahesh Verma, Mr. G.S.  
Nagar, Advs.

versus

**STATE & ANR**

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI  
Rampal Yadav PS Nihar Vihar.  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**23.12.2016**

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Crl.M.A. 20168/2016

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 31/2013 under Sections 498A/406/34 IPC registered at PS Nihal Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

As per the petition though four accused were arrayed in the FIR, however charge-sheet was filed only keeping Rajeev Kumar and Malti in column No.11 and Manohar Lal and Narender were not charge-sheeted nor summoned by the Trial Court.

These facts are affirmed by the learned APP for the State on instructions and according to him the two petitioners are the accused and

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respondent No.2 is the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Principal Judge, Family Courts on 8<sup>th</sup> December, 2014. Pursuant to the settlement divorce by mutual consent has been granted between the petitioner and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., the respondent No.2 is entitled to receive a sum of ₹2,50,000/- out of which she has already received a sum of ₹2 lakhs and the balance amount of ₹50,000/- has been received by her today in Court in cash. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the abovementioned 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.

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. 31/2013 under Sections 498A/406/34 IPC registered at PS Nihal Vihar, 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 23, 2016**

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