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

+ **CRL.M.C. 171/2017**

RAKESH SHARMA & ORS

..... Petitioner

Represented by: Mr. Vasudev Goswami, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with ASI Suresh Chand PS S.P.
Badli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
22.03.2017

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By the present petition the petitioners seek quashing of FIR No. 250/2006 under Sections 498A/406/34 IPC registered at PS Model Town, 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 in the above-noted FIR the four petitioners are the only accused and respondent No.2 the only complainant/ victim. She states that on the last date inadvertently it was stated that besides the four petitioners there were two more accused.

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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 pursuant whereunto divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2 In lieu of all her claims of maintenance, istridhan and alimony etc., the respondent No.2 has already received a sum of ₹1 lakh and the balance amount of ₹50,000/- has been received by her today in Court by way of demand draft No. '276943' drawn on Union Bank of India. She states that the two minor daughters born from the wedlock namely baby Mansi and baby Gauri will remain in her care and custody and the petitioners would neither have the custody nor the visiting rights of the two daughters. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner No.1 the ex-husband and petitioner No.4 the brother-in-law of respondent No.2 are present in Court and are identified by the learned counsel. Petitioner No.2 and 3 being aged and residents of Azamgarh are exempted from appearing before this Court. Petitioner No.1 and 4 affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties.

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. 250/2006 under Sections 498A/406/34 IPC registered at PS Model Town, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 22, 2017
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