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

+ CRL.M.C. 188/2017 & CrI.M.A. 853/2017 (stay)

MANOJ & ORS

..... Petitioner

Represented by: Mr. Neeraj Bhardwaj, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Dharmendra Pratap Singh
PS Samaipur Badli.
Ms. Saahila Lamba, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.03.2017

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By the present petition the petitioners seek quashing of FIR No. 568/2007 under Sections 498A/406/34 IPC registered at PS Samai Pur Badli, 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 five petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners before the Mediation Centre, Rohini Courts on **CRL.M.C. 188/2017**

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16th September, 2010. Pursuant to the settlement 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 is entitled to receive a sum of ₹72,000/- out of which she has already received ₹57,000/- and the balance amount of ₹15,000/- has been received by her today in Court by way of cash. She states that the minor child Anshika will remain in her care and custody and the petitioners would have no visiting rights. 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 and state that they will abide by the terms of settlement arrived at between the parties on 16th September, 2010.

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. 568/2007 under Sections 498A/406/34 IPC registered at PS Samai Pur Badli, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 20, 2017
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