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

+ **CRL.M.C. 113/2017**

MANISH JAIN & ORS.

..... Petitioners

Represented by: Mr. Manoj Chauhan and
Mr. Raj Kumar, Advocates with
petitioners in person.

versus

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

Represented by: Mr. Hirein Sharma, APP for
the State with SI Vijay Kumar,
PS Prashant Vihar.
Mr. Vikrant, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.01.2017

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Crl. M.A. No. 541/2017(Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1126/2014 under Sections 498A/406/34 IPC registered at PS Prashant Vihar, 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 four petitioners are the only accused and the respondent No. 2 is the only complainant/victim in the

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above noted FIR.

The complainant/Respondent No. 2 Ms. Deepika, 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 before the learned Family Judge, North District, Rohini. In terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹7 lakhs out of which she has received ₹5.50 lakhs and the balance sum of ₹1.50 has been received by her today in court by way of Demand Draft No.008697 dated 9th January, 2017 drawn on IDBI Bank, Loni Road, Shahdara, Delhi. She states that now she has no claims whatsoever against the petitioners. She states that in terms of the settlement she does not want 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 the settlement. Petitioner No.1 further undertakes that he will withdraw the NCR No.1059/2014 filed by him at PS South Rohini, Outer District on 22nd September, 2014 and will not pursue the same.

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. 1126/2014 under Sections 498A/406/34 IPC registered at PS Prashant Vihar, Delhi and proceedings pursuant thereto are hereby quashed.

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

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 12, 2017
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