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

+ **CRL.M.C. 289/2017**

RAHUL JAIN & ORS

..... Petitioners

Represented by: Mr. Rohit K. Naagpal,
Ms.Akansha Panwar,
Advocates with petitioners in
person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Anukul, PS Subzi
Mandi.
Dr. Vijendra Mahndiyan and
Mr. Vinod Dixit, Advocates for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2017

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By the present petition the petitioners seek quashing of FIR No. 301/2014 under Sections 498A/406/34 IPC registered at PS Subzi Mandi, 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 five petitioners are the only accused and the respondent No. 2 the only complainant/victim in the above noted FIR.

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The complainant/Respondent No. 2 Ms. Swati Jain, 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 Mediation Centre, Tis Hazari Courts on 31st May, 2016. 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 ₹7.50 lakhs out of which a sum of ₹5 lakhs have already been paid to her and the balance sum of ₹2.50 lakhs has been paid to her today in court vide Demand Draft Nos.067752 dated 18th January, 2017 drawn on Central Bank of India and 687124 dated 22nd February, 2017 drawn on Kotak Mahindra Bank, Old Rajinder Nagar and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She states that the minor child Vasu Jain will remain in her care and custody and the petitioners will neither have the custody nor the visiting rights. She also states that she has received the articles as noted in the settlement agreement and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement arrived at before the Mediation Centre, Tis Hazari Courts dated 31st May, 2016.

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. 301/2014 under Sections 498A/406/34 IPC registered at PS Subzi Mandi, 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.

FEBRUARY 27, 2017
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