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

+ **W.P.(CRL) 205/2017**

ROHIT TANWAR & ANR.

..... Petitioner

Represented by: Mr. Anil Sharma, Mr. Rahul
Sood, Advs.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ashish Aggarwal, ASC for
State with ASI Kusum PS
Naraina.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
23.01.2017

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CrI.M.A. 1282/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 153/2016 under Sections 354/377/506 IPC registered at PS Naraina, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that there was a matrimonial dispute between the respondent No.2 and petitioner No.1 where after three FIRs were filed and finally the parties have settled the matter before the Delhi Mediation Centre, Tis Hazari Courts on 23rd August, 2016 by way of comprehensive settlement. Pursuant to the settlement statement for first motion for divorce by mutual consent has been recorded between respondent No.2 and petitioner No.1. As per Clause 5 and 6 of the settlement between the parties, on the petitioners paying a sum of ₹1,50,000/- to the respondent today she would have no objection to the quashing of above-noted FIR. Respondent No.2 states that she has already received a sum of ₹5 lakhs out of the total sum of ₹13,50,000/- and today she has received the third instalment of ₹1,50,000/- by way of pay order No.'095790' drawn on Axis Bank. She states that she will abide by the terms of settlement arrived at between the parties and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners No.1 and 2 are present in Court and are identified by the learned counsel. They affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties on 23rd August, 2016 before the Delhi Mediation Centre, Tis Hazari Courts.

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. 153/2016 under Sections 354/377/506 IPC registered at PS Naraina, 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.

JANUARY 23, 2017
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