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

+ **CRL.M.C. 793/2017**

ASHWANI KAUSHIK & ORS.

..... Petitioner

Represented by: Mr. Akhilesh Singh, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Vinod Kumar PS CAW
East.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.02.2017

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CrI.M.A. 3365/2017

Exemption allowed subject to just exceptions.

CrI.M.A. 3366/2017

For the reasons stated in the application delay of 8 days in refiling is condoned.

Application is disposed of.

CRL.M.C. 793/2017

By the present petition the petitioners seek quashing of FIR No. 418/2013 under Sections 498A/406/34 IPC registered at PS Shakarpur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

CRL.M.C. 793/2017

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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 Investigating Officer. She states that she has settled the matter with the petitioners before Delhi Mediation Centre, Karkardooma Courts on 22nd January, 2016 pursuant where to 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, alimony, etc. respondent No.2 is entitled to receive a sum of ₹8,50,000/- out of which she has already received a sum of ₹6 lakhs and the balance amount of ₹2,50,000/- has been received by her today in Court by way of demand draft No. '135693' drawn on Central Bank of India. She also states that as per Clause 7 of the settlement she has received the dowry articles from the petitioners. She states that the cross-cases filed by the petitioner against the complainant and her family members have been withdrawn. She does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners who are present in Court affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Karkardooma Courts on 22nd January, 2016 copy whereof is annexed at pages 20 to 24 of the paper book. They further state that all the complaints filed by them against the respondent No.2 and her family members have since been withdrawn.

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. 418/2013 under Sections 498A/406/34 IPC registered at PS Shakarpur, 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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