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

+ **W.P.(CRL) 302/2017**

ASHOK GUPTA & ORS.

..... Petitioner

Through

Mr. S. Sharma, Adv. with petitioners.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Through

Mr. Rajesh Mahajan, ASC with SI
Ajmer Singh, PS CWC/Nanakpura.
Mr. Jitender Kumar, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.01.2017

Crl.M.A. 1567/2017

Exemption allowed, subject to all just exceptions.

WP(Crl.) 302/2017

By the present petition, the petitioners seek quashing of FIR No.120/2015 under Sections 406/498A/34 IPC registered at PS CAW Cell, Nanakpura on the complaint of respondent No.2 and the proceedings pursuant thereto as the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR , four petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned counsel and the investigating officer submits that she has

settled the matter with the petitioners and in terms whereof divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims with regard to istridhan/maintenance/permanent alimony etc., respondent No.2 is entitled to receive a sum of ₹5 lakhs out of which she has already received ₹3.5 lakhs and remaining amount of ₹1.5 lakhs has been received by her today in Court by way of demand draft No.576015 dated 5th January, 2017 drawn on Punjab & Sindh Bank, SCO-5, Brass Market, Rewari, Haryana. She states that she has now no claim whatsoever remaining against the petitioners. She does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by 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.

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.120/2015 under Sections 406/498A/34 IPC registered at PS CAW Cell, Nanakpura, 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 27, 2017
' v mittal'