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

+ **W.P.(CRL) 307/2017**

ROSHAN & ORS

..... Petitioner

Represented by: **Mr. Ankit Batra, Mr. Rohit Malik, Advs.**

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: **Ms. Nandita Rao, ASC with Mr. Srilina Roy, Adv. with SI Udham PS Bindapur. Mr. Raj Karan, Adv. for R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
30.01.2017

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Crl.M.A. 1610/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 118/2014 under Sections 498A/406/34 IPC registered at PS Bindapur, 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 six 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 she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts. Pursuant to the settlement 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 and education/maintenance of the minor child Simran, the respondent No.2 is entitled to receive a sum of ₹1,95,000/- out of which she has already received ₹1,30,000/- and the balance amount of ₹65,000/- has been received by her today in Court by way of pay order No. '086150' for ₹30,000/- drawn on HDFC Bank and demand draft No. '215188' for ₹35,000/- drawn on Corporation Bank. She states that the minor child will remain in her care and custody and the petitioners will neither have her custody nor the visiting rights. She does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The 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 settlement arrived at before the Mediation Centre, Dwarka Courts on 26th August, 2014 copy whereof is enclosed as Annexure from pages 32 to 35 of the paper book.

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 ***W.P.(CRL) 307/2017***

question.

Consequently, FIR No. 118/2014 under Sections 498A/406/34 IPC registered at PS Bindapur, 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 30, 2017
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