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

+ **CRL.M.C. 436/2017**

**OM PRAKASH**

..... Petitioner

Represented by: **Mr. Arun Kumar, Mr. Ajit  
Rajput, Advs.**

versus

**STATE NCT OF DELHI & ANR**

..... Respondent

Represented by: **Ms. Meenakshi Chauhan, APP  
with SI Sombir PS Burari.  
Mr. Sanjay Sharma, Mr. Sanjay  
Dahiya, Mr. Dheeraj Kumar,  
Advs. for R-2.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**03.02.2017**

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**CrI.M.A. 1957/2017**

Exemption allowed subject to just exceptions.

**CRL.M.C. 436/2017**

By the present petition the petitioner seeks quashing of FIR No. 281/2011 under Sections 498A/406/34 IPC registered at PS Burari, 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 Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim.

***CRL.M.C. 436/2017***

***page 1 of 3***

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner before the Delhi Mediation Centre Tis Hazari Courts on 26<sup>th</sup> May, 2016. Pursuant to the settlement divorce by mutual consent has been granted between the petitioner and respondent No.2. It has also been agreed between the parties that the minor daughter Disha will remain in care and custody of respondent No.2 and petitioner would neither have the custody nor the visiting rights of the minor child. She further states that in lieu of all her claims of maintenance, istridhan and alimony the respondent No.2 is entitled to receive a sum of ₹4 lakhs out of which she has already received ₹3 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of pay order No. '362646' for ₹50,000/- drawn on Bank of Baroda and ₹ 50,000/- in cash. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2 and states that he will abide by the terms of settlement arrived at between the parties on 26<sup>th</sup> 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. 281/2011 under Sections 498A/406/34 IPC registered at PS Burari, 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 03, 2017**  
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