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

+ CRL.M.C. 737/2017

RAKESH & ORS

..... Petitioner

Represented by: Mr. Dinesh Kumar, Adv. with
petitioners.

versus

GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Jitender Joshi, PS Aman Vihar.
Mr. Ajay Kumar Khowal, Adv.
for R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.02.2017

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By this petition, the petitioners seek quashing of FIR No.287/2012 under Sections 406/498A/34 IPC registered at PS Aman Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto as the parties have settled the matter.

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

Respondent No.2 is present in Court and identified by learned counsel. She states that she has settled the matter before the Principal Judge, Family Courts, Rohini on 20th November, 2015 and copy of the order is placed on record at pages 41 and 42 of the paper book. Pursuant to the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims towards maintenance/

istridhan/permanent alimony etc. the respondent No.2 is entitled to receive ₹5 lakhs out of which she has already received ₹3 lakhs and balance amount of ₹2 lakhs has been received by her today in Court by way of three bank draft Nos. 001882 dated 9th December, 2016 for ₹1 lakh, 001883 dated 9th December, 2016 for ₹50,000/- both drawn on Axis Bank Ltd., Nangloi, Delhi and 338156 dated 13th December, 2016 for ₹50,000/- drawn on Bank of Maharashtra, Nangloi Branch. She states that she has now no claim whatsoever against the petitioners and will abide by the terms of settlement arrived at between the parties and withdraw her complaint under Section 12 of the Protection of Women from Domestic Violence Act. 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.

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. FIR No.287/2012 under Sections 406/498A/34 IPC registered at PS Aman Vihar, 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 21, 2017
'v mittal'