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

+ **CRL.M.C. 407/2017**

MADAN LAL G MEHRA & ANR Petitioner

Represented by: Mr. Vikas Kr. Bharti, Ms.
Aruna Singh, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Represented by: Mr. Ravi Nayak, APP with ASI
Sunder Prakash PS CAW Cell/
East Distt.
Mr. Dharmender Sharma, Mr.
Anil Kr. Saini, Mr. Vikas,
Advs. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.02.2017

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Crl.M.A. 1816/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 171/2013 under Sections 498A/406/34 IPC registered at PS Vivek Vihar, 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 above-noted FIR was initially registered against Rakesh Mehra the husband of the respondent No.2 and the two petitioners herein who are the father-in-law and mother-in-law of the respondent No.2. He states that

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after the filing of the charge-sheet and during the pendency of the proceedings before the learned Trial Court husband of the respondent No.2 Shri Rakesh Mehra passed away on 27th August, 2016 and thus the two petitioners arrayed in the present petition are the only accused in the above-noted FIR and the respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel. She states that she has settled the matter with the petitioners who are the parents of her deceased husband. In lieu of all her claims of maintenance, istridhan, and alimony the respondent No.2 is entitled to receive a sum of ₹3 lakhs which she has received today in Court by way of demand draft Nos. '574662' for ₹1,50,000/- drawn on RBL Bank and No. '730594' for ₹1,50,000/- drawn on Karur Vysya Bank Ltd. respectively. She further states that she has also received all her educational certificates which were lying with the petitioners and has also withdrawn her complaint under Section 12 of the Protection of Women from Domestic Violence Act. She states that she has now no claim whatsoever against the petitioners and she will abide by the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Karkardooma Courts on 22nd December, 2016. She states that 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 also abide by the terms of settlement arrived at between the parties on 22nd December, 2016 before the Delhi Mediation Centre, Karkardooma Courts copy whereof is annexed at pages 41 to 43 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 question.

Consequently, FIR No. 171/2013 under Sections 498A/406/34 IPC registered at PS Vivek 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 01, 2017
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