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

+ **CRL.M.C. 890/2017**

DEEPAK TIWARI & ORS

..... Petitioner

Represented by: Mr. Ravinder Pal Singh, Adv.
with petitioners.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Mohinder Kumar, PS Sultan
Puri.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.03.2017

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Crl.M.A. 3750/2017

Exemption allowed, subject to all just exceptions.

Crl.M.C. 890/2017

By the present petition, the petitioners seek quashing of FIR No.320/2015 under Sections 498A/406/34 IPC registered at PS Sultan Puri and proceedings pursuant thereto as the parties have settled the matter.

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

Respondent No.2 who is present in Court and identified by the investigating officer submits that she has settled the matter with the petitioners pursuant thereto divorce between petitioner No.1 and respondent No.2 has been granted. In terms of the settlement, respondent No.2 is entitled to receive a total sum of ₹5.10 lakhs in lieu of all her claims towards

maintenance/istridhan/permanent alimony out of which she has already received ₹4 lakhs and the balance amount of ₹1.10 lakh has been received by her today in Court by way of Manager's Cheque bearing No.007481 dated 17th February, 2017 drawn on HDFC Bank, Rohini Sector 7, Delhi. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above noted FIR and 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 which are incorporated in the order granting divorce by mutual consent passed on 23rd August, 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.320/2015 under Sections 498A/406/34 IPC registered at PS Sultan Puri, 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.

MARCH 06, 2017/'v mittal'