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

+ **CRL.M.C. 518/2017**

SURESH & ORS

..... Petitioner

Represented by: Mr. Avnish Rana, Mr. Anoop
K. Gahlawat, Ms. Arjana Jha,
Advts.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
WSI Shiksha PS Chhawla.
Mr. Rambir Singh, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.03.2017

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By the present petition the petitioners seek quashing of FIR No. 765/2014 under Sections 498A/406/34 IPC registered at PS Chhawla, 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 FIR initially nine accused were arrayed, however Smt. Shanti the grand-mother of petitioner No.1 has since passed away and thus eight 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 learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners vide memorandum of understanding dated 26th May, 2015 copy whereof is annexed at pages 43 to 45 of the paper book. In lieu of all her claims of maintenance, istridhan and alimony, respondent No.2 is entitled to receive a sum of ₹27,50,000/- out of which she has already received ₹22,50,000/- and the balance amount of ₹5 lakhs has been received by her today in Court by way of three demand drafts i.e. (DD No. '775414' drawn on Oriental Bank of Commerce, DD Nos. '340047 and 251286' drawn on Union Bank of India). She states that now she has no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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 between the parties.

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. 765/2014 under Sections 498A/406/34 IPC registered at PS Chhawla, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 23, 2017
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