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

+ **CRL.M.C. 679/2017**

RITESH MITTAL & ORS.

..... Petitioners

Represented by: Mr. Uday Gupta, Ms. Shivani
and Mr. M.K.Tripathi,
Advocates with petitioners in
person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Represented by: Mr. Hirein Sharma, APP for
the State with SI Sunita
Sharma, PS Rajouri Garden.
Mr. Puneet Kharbanda,
Advocate for R-2 with
respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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17.02.2017

Crl. M.A. No. 2884-2885/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 834/2015 under Sections 498A/406/34 IPC registered at PS Rajouri Garden, 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 the Investigating Officer submits that in the above noted FIR the four petitioners are the only

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accused and the respondent No. 2 the only complainant/victim in the above noted FIR.

The complainant/Respondent No. 2 Ms. Neha Garg, who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners vide compromise deed dated 18th December, 2015, copy whereof is annexed as Annexure-P2 at pages 41 to 59. In terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹60 lakhs out of which ₹45 lakhs has already been paid to her and the balance sum of ₹15 lakhs has been paid to her today in Court by way of Demand Draft No. 010876 dated 9th January, 2017 drawn on Andhra Bank, Chandni Chowk, Delhi and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She states that she has withdrawn all her pending complaints against the petitioners and she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. She further states that she will abide by the terms of the compromise deed dated 18th December, 2015.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the compromise deed dated 18th December, 2015 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. 834/2015 under Sections 498A/406/34 IPC registered at PS Rajouri Garden, 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 17, 2017
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