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

+ **CRL.M.C. 602/2017**

ABHISHEK DABAS & ANR

..... Petitioner

Represented by: Mr. Robin Bansal, Adv.

versus

STATE & ORS

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Dinesh Kumar, SI Mukesh
Kumar PS Dwarka South.
Mr. Ajay Chaudhari, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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14.03.2017

By the present petition the petitioners seek quashing of FIR No. 194/2012 under Sections 498A/406/34 IPC registered at PS Dwarka South, 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 though in the FIR four accused persons were arrayed, however the sister of petitioner No.1 was not summoned as an accused and father of petitioner No.1 passed away. Thus the two petitioners are the only accused and respondent No.2 the only complainant/ victim.

CRL.M.C. 602/2017

page 1 of 3

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 before the Mediation Centre, Dwarka Courts on 3rd May, 2016. Copy of the settlement agreement is annexed at pages 33 to 37 of the paper book. She states that pursuant to the settlement divorce by mutual consent has already been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony respondent No.2 was entitled to receive a total sum of ₹6 lakhs which she has already received and now she has no claim whatsoever remaining against the petitioner. She 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. 194/2012 under Sections 498A/406/34 IPC registered at PS Dwarka South, 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 14, 2017
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