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

+ **CRL.M.C. 678/2017**

DHARAMVEER RATH & ANR

..... Petitioners

Represented by: Mr. Md. Qamar Ali, Advocate
with petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with Inspector Saroj
Sharma and ASI Hukum
Chand, PS GTB Enclave.
Mr. S.S. Rawat, Advocate for
respondent No.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. 2880/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 350/2014 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS G.T.B. Enclave, 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 two 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. Pinki @ Deepali, 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 on 20th June, 2015. 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 ₹80,000/- out of which ₹55,000/- has already been paid to her and the balance sum of ₹25,000/- has been paid to her today in Court by way of Demand Draft No. 167928 dated 14th February, 2017 drawn on Corporation Bank, Delhi and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She states that 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 settlement.

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 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. 350/2014 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS G.T.B. Enclave, 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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