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

+ **CRL.M.C. 773/2017**

CHANDER SHEKHAR

..... Petitioner

Represented by: Mr. Jatin Kumar, proxy Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Bhuvneshwar Tyagi, proxy
Adv. for Mr. Amit Ahlawat,
APP with SI Ranbir Singh PS
Bharat Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.03.2017

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By the present petition the petitioners seek quashing of FIR No. 215/2012 under Sections 498A/406 IPC registered at PS Bharat Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the

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petitioners pursuant where to divorce by mutual consent has been granted between the petitioner and the respondent No.2. The terms of the settlement are noted in the order dated 1st September, 2016 passed by the Principal Judge, Family Courts, North-West District, Rohini. She states that in lieu of all her claims of maintenance, istridhan, alimony etc., she has to receive a total sum of ₹3 lakhs out of which she has already received ₹2 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of two demand drafts No. '382107' and '564396' drawn on Syndicate Bank and State Bank of India respectively and she has now no claim whatsoever remaining against the petitioners. She further states that the minor child Yash @ Yug born out of the wedlock will remain in her care and custody and the petitioner will neither have his custody nor the visiting rights. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the investigating officer affirms the statement of respondent No.2 and state that he will abide by the terms of settlement incorporated in the order passed by the Principal Judge, Family Courts on 1st September, 2015.

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. 215/2012 under Sections 498A/406 IPC registered at PS Bharat Nagar, 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 31, 2017
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