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

+ **CRL.M.C. 726/2017**

NISHANT BHATI & ANR.

..... Petitioners

Represented by: Mr. Ashwani Kumar Sood,
Advocate with petitioners in
person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the
State with SI Gajender Singh,
PS CWC, Nanak Pura.
Mr. Inder Singh, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.02.2017

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Crl. M.A. No. 3080/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 726/2017 and Crl. M.A. No. 3079/2017 (Stay)

By the present petition the petitioners seek quashing of FIR No. 71/2011 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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. Shashi, who is present in Court and is identified by the learned counsel states that she has settled the matter with the petitioners before the Mediation Centre, Saket Courts on 6th July, 2015 copy whereof is annexed at pages 51 to 54 of the paper-book. 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 ₹70 lakhs out of which a sum of ₹45 lakhs have already been paid to her and the balance sum of ₹25 lakhs has been paid to her today in court vide Demand Draft No.004915 dated 16th February, 2017 drawn on HDFC Bank and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She states that she has withdrawn all her other complaints against the petitioners and she will abide by the terms of the settlement. She states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

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 before the Mediation Centre, Saket Courts on 6th July, 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. 71/2011 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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 and the application are disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 21, 2017

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