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

+ CRL.M.C. 1217/2017

YUVRAJ ABROL & ORS

..... Petitioner

Represented by: Mr. Anikt Kumar with Y.D.
Sharma, Advs. with petitioners.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with ASI Dharamvir Singh, PS
CWC, Nanakpura.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.04.2017

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By the present petition, the petitioners seek quashing of FIR No.114/2012 under Sections 498A/406/34 IPC registered PS CWC, Nanak Pura on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

Learned APP for the State on instructions submits that petitioner No.2 Ashok Abrol father of petitioner No.1 has since passed away and name of Tanvi Nayar sister of petitioner No.1 was kept in column No.12 and she was not summoned by the learned Trial Court. Thus, petitioner Nos. 1, 3 and 4 are the only accused facing trial and respondent No.2 the only complainant/victim in the above noted FIR.

Respondent No.2 who is present in Court and identified by the investigating officer states that she has settled the matter with the petitioners

before the Mediation Centre, Saket Courts on 6th February, 2016 copy whereof has been placed on record at pages 45 to 49 of the paper book. In terms of the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims towards maintenance/istridhan/permanent alimony etc, respondent No.2 is entitled to receive a sum of ₹40 lakhs out of which she has already received a sum of ₹30 lakhs and balance amount of ₹10 lakhs has been received by her today in Court by way of demand draft No.366719 dated 17th February, 2017 drawn on Federal Bank, Greater Kailash, New Delhi. She states that she has now no claim whatsoever pending against the petitioners and she does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners, who are present in Court and identified by learned counsel, affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement dated 6th February, 2016.

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.114/2012 under Sections 498A/406/34 IPC registered PS CWC, 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.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 21, 2017
'v mittal'