

\$~21

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

+ CRL.M.C. 1021/2017

VIVIAN ZUBEN ALIAS VIPIN Petitioner

Represented by: Mr. Amit Chauhan and Mr.
Karan Sharma, Advs. with
petitioner.

versus

STATE & ANR. Respondent

Represented by: Ms. Aashaa Tiwari, APP for
the State with ASI Krishan
Kumar, PS Palam Village.
Mr. P.N. Mishra, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
01.05.2017

%

By the present petition, the Petitioner seeks quashing of FIR No. 170/2016 under Sections 498A/406/34 IPC registered at PS Palam Village, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions states that in the above noted FIR, the petitioner is the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 who is present in Court and identified by learned counsel and the Investigating Officer states that she has settled the matter with the petitioner vide settlement deed dated 10th March, 2016 a copy whereof has been placed on record as Annexure A-2 at pages 37 to 43 of the paper book. She states that marriage between the petitioner and respondent

No.2 has been dissolved under Section 28(II) of the Special Marriage Act, 1954. In lieu of all her claims towards maintenance/istridhan/permanent alimony etc., respondent No.2 is to receive a sum of ₹35 lakhs which she has already received and now she has no claim whatsoever against the petitioner. She states that she will abide by the terms of the settlement deed dated 10th March, 2016 and does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioner who is present in Court and identified by learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of the settlement deed dated 10th March, 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. 170/2016 under Sections 498A/406/34 IPC registered at PS Palam Village, 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.

MAY 01, 2017/‘v mittal’