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

+ **CRL.M.C. 1039/2017**

ANAND DUGGAL & ORS

..... Petitioner

Represented by: Mr. Sandeep Vyas, Mr. Shivam
Garg, Mr. Sourabh, Advts.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
Retd. ASI Anil Tiwari.
Mr. Sunil Jain, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.03.2017

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Crl.M.A. 4367/2017

Exemption allowed subject to just exceptions.

CRL.M.C. 1039/2017 & Crl.M.A. 4366/2017 (stay)

By the present petition the petitioners seek quashing of FIR No. 479/2014 under Sections 406/498A/34 IPC and Section 4 of Dowry Prohibition Act registered at PS Rohini North, 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 Investigating Officer submits that in the above-noted FIR the three petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners vide memorandum of understanding dated 16th August, 2016 copy whereof is annexed at pages 33 to 37 of the paper book.

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Pursuant to the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc., the respondent No.2 is entitled to receive a total amount of ₹20 lakhs out of which she has already received ₹14 lakhs and the balance amount of ₹6 lakhs has been received by her today in Court by way of cheque No. '048654' drawn on Hongkong and Shanghai Banking Corporation Limited. She states that the minor child Ayush born out of the wedlock will remain in her care and custody and the petitioners will have the visiting rights as per the settlement arrived at between the parties. She states that she will abide by the terms of settlement and the FIR in question and the proceedings pursuant thereto be quashed.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2. They state that they will abide by the terms of settlement arrived at between the parties vide memorandum of understanding dated 16th August, 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. 479/2014 under Sections 406/498A/34 IPC and Section 4 of Dowry Prohibition Act registered at PS Rohini North, 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 16, 2017
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