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

+ **CRL.M.C. 1739/2016**

SAROJ & ORS

..... Petitioner

Represented by: Mr. Mahesh Kumar Gautam,
Adv.

versus

THE STATE & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
Insp. Surya Prakash, SI Ram
Bhav, PS Khyala.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.01.2017

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By the present petition the petitioners Saroj, Leena @ Laxmi, Arti and Sumit Kumar @ Mogli seek quashing of FIR No. 147/2011 under Sections 498A/ 406 IPC registered at PS Khyala, 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 besides the four petitioners, husband of respondent No.2 Puneet was also an accused who filed a petition for quashing of FIR before this Court being CrI.M.C. 3202/2015 which was disposed of on August 10, 2015 quashing the FIR qua Puneet. Thus the FIR

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qua the petitioners who were not arrayed as parties in Crl.M.C.3202/2015 could not be quashed.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners and Puneet her ex-husband. Divorce by mutual consent has been granted between her and Puneet. She has already received a sum of ₹8,25,000/- in lieu of all her claims of maintenance, istridhan and alimony. She further states that minor child Kartik is in her care and custody and neither the petitioners nor Puneet will have any custody rights or visiting rights of Kartik. She states that she does not wish to pursue the above-noted FIR against the petitioner as well.

Petitioners who are present in Court affirm the statement of respondent No.2 and state that they will abide by the terms of settlement.

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. 147/2011 under Sections 498A/ 406 IPC registered at PS Khyala, 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 is disposed of. Order dasti.

JANUARY 13, 2017
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MUKTA GUPTA, J.