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

+ **CRL.M.C. 1123/2017**

AMIT MAHAJAN & ANR.

..... Petitioner

Represented by: Mr. Hitender Sakkarwal, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Manoj Chahar, PS Mundka.
Ms. Manju Oberoi, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.04.2017

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By the present petition the petitioners seek quashing of FIR No. 165/2012 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, 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 though initially three accused were arrayed in the above-noted FIR, however the mother of petitioner No.1 Mrs. Tripta Mahajan has since passed away and thus the two petitioners are the only accused facing trial and the 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

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matter with the petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 11th February, 2016 copy whereof is annexed at pages 30 to 33 of the paper book. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2 and in lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is entitled to receive a sum of ₹6 lakhs out of which she has already received a sum of ₹5 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No. '500894' drawn on ICICI Bank. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties on 11th 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. 165/2012 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, 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 26, 2017
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