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

+ **CRL.M.C. 1201/2017**

VIPIN RAI & ANR

..... Petitioner

Represented by: Mr. Neeraj Yadav, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Aashaa Tiwari, APP.
Mr. Anuj Aggarwal, Mr. Vivek
Aggarwal, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
05.05.2017

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By the present petition the petitioners seek quashing of FIR No. 611/2013 under Sections 498A/406/34 IPC registered at PS Dabri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

On the last date of hearing learned APP for the State on instructions submitted that though charge-sheet was filed against all the six petitioners, however only petitioner No.1 and 5 were summoned and rest of the petitioners were not summoned by the Trial Court. Thus petitioners No.1 and 5 are the only accused, facing trial and respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel. She states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts copy whereof is annexed as Annexure P-2 from pages 63 to 68 of the paper book. She states that 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., respondent No.2 has already received a sum of ₹12,50,000/-. She states that the minor child Jatin Rai born from the wedlock would remain in her care and custody and the petitioners would neither have the custody nor the visiting rights. She further states that the property bearing Plot No.15, admeasuring 100 sq.yds. out of Khasra No.449 and 457 situated in the area of village Dindarpur, Delhi known as Durga Vihar Phase-II, Roshanpura, Najafgarh has been transferred in the name of Master Jatin Rai under the guardianship of respondent No.2. She states that she has now no claim against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She further undertakes to abide by the terms of settlement arrived at between the parties.

Petitioner No.1 and 5 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 before the Mediation Centre, Dwarka Courts on 6th May, 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. 611/2013 under Sections 498A/406/34 IPC registered at PS Dabri, 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 05, 2017
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