

\$~32

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

+ **CRL.M.C. 1272/2017**

PRAMOD KUMAR & ORS

..... Petitioner

Represented by: Mr. Imran Khan, Ms. Prabha
Mishra, Advs.

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with PSI Vivek Singh PS
Sangam Vihar.
Mr. Ganesh Pandey, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.03.2017

%

By the present petition the petitioners seek quashing of FIR No. 396/2013 under Sections 498A/406/34 IPC registered at PS Sangam Vihar, 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 before the Mediation Centre, Saket Courts on 5th

CRL.M.C. 1272/2017

page 1 of 3

August, 2015. 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., respondent No.2 is entitled to receive a sum of ₹3,40,000/- out of which she has already received a sum of ₹2,90,000/- and the balance amount of ₹50,000/- has been received by her today in Court by way of bankers cheque No. '529857' drawn on State Bank of India. She states that the minor daughter Gungun born from the wedlock would stay in her care and custody and the petitioners would neither have the custody nor the visiting rights of the said child. She states that She has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and she will abide by the terms of the settlement arrived at between the parties on 5th August, 2015.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties on 5th August, 2015 before the Mediation Centre, Saket Courts, copy of which settlement is placed on record as Annexure P-3 at pages 32 to 35 of the paper book.

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. 396/2013 under Sections 498A/406/34 IPC registered at PS Sangam Vihar, 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 27, 2017
'ga'