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

+ **W.P.(CRL) 899/2017**

LALIT KUMAR & ORS.

..... Petitioners

Represented by: Mr. Sumit Choudhary, Mr.
Sumit Rajput and Mr. Mohit
Aggarwal, Advocates with
petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Represented by: Mr. R.S. Kundu, Additional
Standing Counsel for the State
with Mr. Ankit K. Gulia with
SI Ravinder Kumar, PS
Prashant Vihar.
Mr. Prashant Mendiratta,
Advocate for respondent No.2
with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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23.03.2017

Crl. M.A. No. 4931/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1011/2015 under Sections 498A/406/34/377 IPC registered at PS Prashant Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the seven petitioners are the only accused and the respondent No.2 the complainant/victim.

The complainant/Respondent No. 2 Ms. Charu Gupta, who is present in Court and is identified by the learned counsel states that she has settled the matter with the petitioners in terms of the agreement dated 23rd May, 2016, copy whereof is annexed as Annexure-B at pages 98 to 105 of the paper-book. In terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹75 lakhs to the respondent No.2 out of which she has already received a sum of ₹60 lakhs and the balance amount of ₹15 lakhs has been paid to her today in Court vide Demand Draft No. 876248 dated 6th March, 2017 drawn on Yes Bank, Kamla Nagar, Delhi. Respondent No.2 states that now she has no claim whatsoever remaining against the petitioners. She states that as per the terms of settlement the minor child Namish, born out of the wedlock will remain in her care and custody and the petitioners would neither have the custody nor the visiting rights of the minor child. She also states that she will abide by the terms of settlement and she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement arrived at between the parties vide ***W.P.(CRL) 899/2017***

settlement agreement dated 23rd 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. 1011/2015 under Sections 498A/406/34/377 IPC registered at PS Prashant Vihar, 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.

MUKTA GUPTA, J.

MARCH 23, 2017

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