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

+ **CRL.M.C. 1435/2017**

ANKIT BANSAL & ANR

..... Petitioners

Represented by: Mr. Anshu Mahajan, Advocate
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Nanag Ram,
PS Dwarka South.
Mr. Surender Tyagi, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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13.04.2017

Crl. M.A. No. 5920/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1435/2017

Issue notice.

Learned APP accepts notice on behalf of the State.

Learned APP for the State on instructions from the Investigating Officer submits that besides the petitioner his mother is also an accused in the FIR in question who has not been arrayed as a petitioner. He also states that in the FIR in question the respondent No.2 is the only complainant/victim.

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Learned counsel for the petitioner has handed over an amended memo of parties impleading Smt. Darshan Bansal, mother of the petitioner No.1 Ankit Bansal as petitioner No.2. Amended memo of parties is taken on record.

Notice is accepted by learned counsel for respondent No.2 who is present in Court along with respondent No.2.

By the present petition the petitioners seek quashing of FIR No. 154/2015 under Section 498A/406/34/506 IPC registered at PS Dwarka South, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Respondent No.2 who is present in Court and is identified by the Investigating Officer states that he has settled the matter with the petitioners vide settlement deed dated 14th January, 2016, copy whereof is annexed as Annexure-2 at pages 32-40 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 ₹10 lakhs to the respondent No.2 out of which she has already received a sum of ₹6.50 lakhs and the balance amount of ₹3.50 lakhs has been paid to her today in Court vide Demand Draft No. 16107 dated 16th February, 2017 drawn on IDBI Bank, Noida, U.P.. Respondent No.2 states that now she has no claim whatsoever remaining against the petitioners. She also states that the minor child Ishani will remain in her care and custody and the petitions will have the visiting rights as per the terms of the settlement and she will abide by the

terms of the settlement. She also states that 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 settlement arrived at between the parties vide Settlement Deed dated 14th January, 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, 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. 154/2015 under Section 498A/406/34/506 IPC registered at PS Dwarka South, 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 13, 2017
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