

\$~44

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

+ **CRL.M.C. 1501/2017**

KISHAN GULATI & ANR.

..... Petitioner

Represented by: Mr. Manoj Gupta, Adv.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondent

Represented by: Ms. Aashaa Tiwari, APP with
SI Jasmer Singh PS Jahangir
Puri.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.04.2017

%

By the present petition the petitioners seek quashing of FIR No. 531/2006 under Sections 498A/406/34 IPC registered at PS Jahangir Puri, 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 initially in the FIR registered against the petitioners who are the mother-in-law and father-in-law of respondent No.2, her husband Pushp Gulati, the two sisters-in-law Asha Gulati and Kavita Gulati and the two brothers-in-law Rajinder Gulati and Pradeep Gulati were arrayed as accused. Charge-sheet was filed against all the accused, however after the charge-sheet was filed Pushp Gulati, the husband of the respondent No.2 passed away and Rajinder Gulati, Aasha Gulati, Pradeep Gulati and Kavita Gulati

CRL.M.C. 1501/2017

page 1 of 3

were discharged by the learned Trial Court. Thus the two petitioners i.e. Kishan Gulati and Bimla Gulati the father-in-law and mother-in-law are the only accused undergoing trial and respondent No.2 is the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Trial Court in the above-noted proceedings. Pursuant to the settlement FDR for a sum of ₹70,000/- has been prepared in the name of the daughter of respondent No.2 and late Pushp Gulati namely Krishika. Further in lieu of all her claims of maintenance, istridhan, alimony, past, present and future respondent No.2 has already received a sum of ₹50,000/- at the time of grant of bail. 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.

Petitioner No.1 who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2. Petitioner No.2 being old and unwell has not been able to appear before the Court and is thus exempted from appearance.

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. 531/2006 under Sections 498A/406/34 IPC registered at PS Jahangir Puri, 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 17, 2017
'ga'