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

+ **CRL.M.C. 1790/2017**

HIRA LAL

..... Petitioner

Represented by: **Mr. Sanjay Kumar, Adv.**

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: **Mr. Ashok Kr. Garg, APP with
SI Gajender Singh PS CWC
Nanak Pura.
Mr. Kishan Kumar, Adv. for
R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.05.2017

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By the present petition the petitioner seeks quashing of FIR No. 191/2009 under Sections 498A/406/34 IPC registered at PS CWC Nanakpura, 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 FIR 14 accused were arrayed, however in the charge-sheet the petitioner was kept in column No.11 and the other 13 were kept in column No.12 and were not summoned by the learned Trial Court. Thus the petitioner is the only accused facing trial in the above-noted FIR and the 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 and the Investigating Officer. She states that she has settled the matter with the petitioners before the Mediation Centre, Saket Courts on 8th October, 2015 copy whereof is annexed as Annexure C from pages 37 to 41 of the paper book. She states that pursuant to the settlement divorce by mutual consent has been granted between the petitioner and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., the respondent No.2 is entitled to receive a sum of ₹4 lakhs out of which she has already received ₹3.5 lakhs and the balance amount of ₹50,000/- has been received by her today in Court by way of demand draft No. '305516' drawn on State Bank of Bikaner and Jaipur. She states that she has now no claim remaining against the petitioner and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement arrived at between the parties before the Mediation Centre, Saket Courts.

The petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties on 8th October, 2015 before the Mediation Centre, Saket Courts.

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. 191/2009 under Sections 498A/406/34 IPC registered at PS CWC Nanakpura, 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 03, 2017
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