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

+ **CRL.M.C. 1664/2017**

**KISHAN CHAND SAINI & ORS**

..... Petitioners

Represented by: Mr. Pujya Kumar Singh, Ms.  
M. Bala and Mr. Kapil Kumar,  
Advocates with petitioners in  
person.

versus

**GOVT OF NCT OF DELHI & ANR**

..... Respondents

Represented by: Mr. Amit Ahlawat, APP for the  
State with SI Daya Shanker, PS  
Palam Village.  
Mr. Prabhakar Pandey,  
Advocate for respondent No.2  
with respondent No.2 in  
person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**04.05.2017**

**Crl. M.A. No. 6751/2017 (Exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 1664/2017**

By the present petition the petitioners seek quashing of FIR No. 345/2012 under Sections 498A/406/34 IPC registered at PS Palam Village, 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 APP for the State on instructions from the Investigating Officer submits that in the above noted FIR the four petitioners are the only accused and the respondent No.2 the only complainant/victim.

The complainant/Respondent No. 2, who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 3<sup>rd</sup> January, 2016, copy whereof is annexed as Annexure–P3 at pages 32-38 of the paper book. She states that in view of the settlement divorce by mutual consent has already been granted between the petitioner No.1 and the respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2 and the maintenance of the two children, the Petitioner No.1 has to pay a sum of ₹8 lakhs out of which she has already received a sum of ₹7 lakhs and the balance amount of ₹1 lakhs has been paid today in court vide Demand Draft No.088923 dated 18<sup>th</sup> April, 2017 drawn on Indian Overseas Bank, Delhi and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She states that she has deposited a sum of ₹1.50 lakhs each in the form of FDR in the name of the two minor children. She further states that in terms of the settlement the two minor children Nikhil and Mehak, born out of the wedlock of petitioner No.1 and the respondent No2. will remain in the care and custody of respondent No.2 and the petitioners will neither have the custody nor the visitation rights of the children. She undertakes to abide by the terms of the settlement. She 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 the settlement arrived at between the parties before the Mediation Centre, Dwarka Courts on 30<sup>th</sup> 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, 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. 345/2012 under Sections 498A/406/34 IPC registered at PS Palam Village, 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.**

**MAY 04, 2017**

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