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

+ **CRL.M.C. 1861/2017**

VIJENDER BHARTIYA & ORS

..... Petitioner

Represented by: Mr. Puneet Kumar, Adv. with
petitioners.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
ASI Rishipal Singh, Traffic.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.05.2017

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By the present petition, the Petitioners seek quashing of FIR No. 425/2010 under Sections 498A/406/34 IPC registered at PS Alipur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

Learned APP for the State on instructions states that in the above noted FIR, the five petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Counselling Cell of Family Court, North District, Rohini on 3rd August, 2015 copy whereof has been annexed at pages 43 and 44 of the paper book. Pursuant to the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims towards maintenance/istridhan/permanent alimony etc.

respondent No.2 is entitled to receive ₹10.45 lakhs out of which she has already received a sum of ₹6 lakhs and balance amount of ₹4.45 lakhs has been received by her today in Court by way of demand draft No.732279 dated 13th April, 2017 drawn on Canara Bank, Rohtak Main. She states that she does not wish to pursue the above noted FIR and the proceedings thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement dated 3rd August, 2015 arrived at between the parties at the Counselling Cell.

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. 425/2010 under Sections 498A/406/34 IPC registered at PS Alipur, 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 08, 2017
‘v mittal’