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

+ **CRL.M.C. 1888/2017**

SURENDER KUMAR CHATOLA

..... Petitioner

Represented by: Mr. Nisha Satyarthi, Advocate
with petitioner in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Gajender Singh,
PS CAW Cell, Nanakpura.
Mr. Sugam Puri and Mr. Nitin
K. Sharma, Advocates for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.05.2017

Crl. M.A. No. 7726/2017 (Exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 1888/2017

By the present petition the petitioner seeks quashing of FIR No. 92/2014 under Sections 498A/406/34 IPC registered at PS Crime Women Cell, 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 the Investigating Officer submits that besides the petitioner, six other accused were arrayed

CRL.M.C. 1888/2017

Page 1 of 3

however, they were kept in Column No.12 and were not summoned as accused by the learned Trial Court. Thus the petitioner is the only accused facing trial 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 states that she has settled the matter with the petitioner before the Mediation Centre, Saket Courts on 30th January, 2016, copy whereof is annexed as Annexure-P2 at pages 15 to 18 of the paper book. She states that in view of the settlement divorce by mutual consent has already been granted between the petitioner 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 the Petitioner No.1 has to pay a sum of ₹1.70 lakhs out of which she has already received a sum of ₹1 lakhs and the balance amount of ₹70,000/- has been paid today in court vide Bankers Cheque No.422451 dated 1st May, 2017 drawn on State Bank of India, R.K. Puram, Delhi and the respondent No.2 now has no claims whatsoever remaining against the petitioner. She undertakes to abide by the terms of the settlement and states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by learned counsel affirms the statement of respondent No.2 and states that he will abide by the terms of the settlement arrived at between the parties before the Mediation Centre, Saket Courts on 30th 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. 92/2014 under Sections 498A/406/34 IPC registered at PS Crime Women Cell, Nanakpura, 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 09, 2017

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