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

+ **W.P.(CRL) 1509/2017**

GAURAV SHARMA & ORS

..... Petitioner

Represented by: **Mr. Rakesh Gupta, Adv.**

versus

STATE & ANR

..... Respondent

Represented by: **Ms. Nandita Rao, ASC for Ms.
Kamna Vohra, ASC with SI
Jitender PS K.N.K. Marg.
Mr. Shankar Lal Verma, Adv.
for R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

08.12.2017

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By the present petition the petitioners seek quashing of FIR No. 836/2015 under Sections 498A/406/34 IPC registered at PS K.N. Katju Marg, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR besides the three petitioners one Madan Lal is also accused who has not been arrayed as a party and the respondent No.2 is the only complainant/ victim.

Petitioner No.2 Smt. Sunita Suri who is present in Court states that Madan Lal is her second husband and Gaurav and Saurabh are her children

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born from the first wedlock. Thus, Madan Lal is not concerned in the entire issue.

Respondent No. 2 who is also present in Court and is identified by the learned counsel and the Investigating Officer endorses the statement of petitioner No.2 and states that she does not wish to pursue even against Madan Lal. She further states that she has settled the matter with the Petitioners terms whereof are recorded in the statement of second motion for divorce by mutual consent where after divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc., respondent No.2 has been granted a sum of ₹5,50,000/-. She further states that she has no claim whatsoever remaining against the petitioners and wants the above-noted FIR and proceedings pursuant thereto be quashed against all the accused including Madan Lal.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement.

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. 836/2015 under Sections 498A/406/34 IPC registered at PS K.N. Katju Marg, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 08, 2017
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