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

+ **CRL.M.C. 441/2017**

SUNIL KUMAR & ANR

..... Petitioner

Represented by: Mr. Om Prakash, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Karamvir PS Narela.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

26.04.2017

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By the present petition the petitioners seek quashing of FIR No. 826/2014 under Sections 498A/406/34 IPC registered at PS Narela, 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 above-noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Rohini District Courts on 26th May, 2015 copy whereof is annexed at pages 21 to 25 of the paper book.

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She states that pursuant to the settlement 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 is entitled to receive a sum of ₹1,10,000/- out of which she has already received ₹70,000/- and the balance amount of ₹40,000/- has been received by her today in Court by way of demand draft No. '847744' drawn on Union Bank of India. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and undertake to abide by the terms of settlement arrived at between the parties.

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 arrived at between the parties on 26th May, 2015 at Delhi Mediation Centre, Rohini District 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. 826/2014 under Sections 498A/406/34 IPC registered at PS Narela, 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.

APRIL 26, 2017
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