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

+ **CRL.M.C. 4198/2016**

SHYAM SUNDER SHARMA & ORS Petitioners
Represented by: Petitioners in person.

versus

STATE (NCT OF DELHI) & ANR Respondents
Represented by: Ms. Meenakshi Chauhan, APP
for the State with ASI Ajay Pal,
CAW Cell, East.
Respondent No.2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
09.02.2017

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By the present petition the petitioners seek quashing of FIR No. 35/2014 under Sections 498A/406/34 IPC registered at PS Vivek Vihar, 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 in the above noted FIR the three petitioners are the only accused and the respondent No. 2 is the only complainant/victim in the above noted FIR.

The complainant/Respondent No. 2 Ms. Sameeksha, who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners vide Settlement Deed 2nd January, 2016. In
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terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. 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 lakh out of which ₹50,000/- has already been paid to her and the balance sum of ₹50,000/- has been paid to her today in Court by way of Demand Draft No.020428 dated 1st February, 2017 drawn on HDFC Bank, Gurgaon and the respondent No.2 now has no claims whatsoever against the petitioners. She states that in terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by Investigating Officer affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement deed dated 2nd January, 2016 arrived at between the parties.

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. 35/2014 under Sections 498A/406/34 IPC registered at PS Vivek Vihar, 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.

FEBRUARY 09, 2017

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