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

+ **CRL.M.C. 4229/2016**

SACHIN DUGGAL

..... Petitioner

Represented by: Mr. Naman Raj Thakur, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Aashaa Tiwari, App with
SI Desh Raj Singh Si Akash
Kuamr PS Vivek Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
02.05.2017

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By the present petition the petitioner seeks quashing of FIR No. 30/2010 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 Investigating Officer submits that in the above-noted FIR the petitioner was the only accused charge-sheeted who was also discharged by the learned Trial Court, however on a revision filed before the learned ASJ the order discharging the petitioner as an accused was set aside and the learned Metropolitan Magistrate was directed to frame charge against the petitioner. Thus the

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petitioner is the only accused facing trial and the respondent No.2 the only complainant/ victim in the above-noted FIR.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioner pursuant where to divorce by mutual consent has been granted between the parties. In lieu of all her claims of maintenance, istridhan, alimony, the respondent No.2 has already received a sum of ₹5 lakhs and she has now no claim whatsoever remaining against the petitioner. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2.

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. 30/2010 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.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 02, 2017
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