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

+ CRL.M.C. 4429/2016

PANKAJ BHASIN & ORS

..... Petitioner

Represented by: Mr. Setu Niket with Ms. Esha
Mazumdar, Advs. with
petitioners.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with ASI
Gian Chand, PS Nanakpura.
Ms. Sindhu, Adv. for R-2 with
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.02.2017

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1. By the present petition the petitioners seek quashing of FIR No. 111/2013 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanakpura on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned APP for the State on instructions submits that initially four accused were arrayed in the FIR however one Ms. Ritu Sharia was kept in column No.12 and was not summoned by the learned Trial Court, thus in the above noted FIR the three petitioners are the only accused and the respondent No. 2 the only complainant/victim.
3. Respondent No. 2, who is present in Court and identified by learned counsel and the Investigating Officer, states that she has settled the matter with the petitioners vide memorandum of understanding dated 15th March, 2016 copy whereof is annexed at pages 32 to 34 of the paper book. In terms of the

settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims regarding maintenance/istridhan/permanent alimony etc., respondent No.2 is entitled to receive a sum of ₹9 lakhs out of which she has already received ₹6.5 lakhs and the balance amount of ₹2.5 lakhs has been received by her today in Court by way of banker's cheque No. 602834 dated 9th February, 2017 drawn on State Bank of India, Dilshad Garden, Delhi. Respondent No.2 now has no claims whatsoever remaining against the petitioners. She does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement dated 15th March, 2016.

4. 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.

5. Consequently, FIR No. 111/2013 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanakpura, Delhi and proceedings pursuant thereto are hereby quashed.

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

7. The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 13, 2017/'v mittal'