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

+ CRL.M.C. 316/2017

NAVEEN GUPTA

..... Petitioner

Represented by: Mr. K.P. Singh, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Shri Gopal PS Shakar
Pur.

Mr. Mithan Lal, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.01.2017

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CrI.M.A. 1384/2017

Exemption allowed subject to just exceptions.

CrI.M.A. 1385/2017

For the reasons stated in the application 60 days delay in filing the petition is condoned.

Application is disposed of.

CRL.M.C. 316/2017

By the present petition the petitioner seeks quashing of FIR No. 1000/2011 under Sections 498A/406/34 IPC registered at PS Shakarpur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR initially 5 accused were charge-sheeted, however charge for offences punishable under Section 498A/ 406 IPC was framed only against the petitioner Naveen Gupta and the other 4 accused were discharged. Thus the petitioner is the only accused and respondent No.2 is the only complainant/ victim in the above-noted FIR.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner in terms of compromise deed dated 24th November, 2015 pursuant where to divorce by mutual consent has been granted between the petitioner and the respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 was to receive a total sum of ₹9 lakhs out of which she has already received a sum of ₹6,50,000/- and the balance amount of ₹2,50,000/- has been received by her today in Court by way of demand draft No.'715079' drawn on Syndicate Bank. She states that she has no claim whatsoever remaining against the petitioner and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioner who is present in Court affirms the statement of respondent No.2 and states that he will abide by the terms of settlement 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. 1000/2011 under Sections 498A/406/34 IPC registered at PS Shakarpur, 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.

JANUARY 24, 2017
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