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

+ CRL.M.C. 4599/2016

CHARANJEET & ORS

..... Petitioners

Represented by: Ms. Pooja Swami, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ORS ..... Respondents

Represented by: Mr. Ravi Nayak, APP for the  
State with Insp Ajya Kumar,  
PS Jahangir Puri  
Mr. F C Giri, Advocate for  
complainant / respondent no.2

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**17.03.2017**

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This is a petition for quashing of FIR No. 58/2008 under Sections 498A/406/34 IPC registered at PS Jahangir Puri New, Delhi on the complaint of Respondent No.2.

Learned counsel for the State on instructions from Investigating Officer states that initially there were six Petitioners who were charge sheeted out of whom Kewal Krishan Kumar Verma, husband of petitioner no.4 was discharged and Smt. Krishna Devi, mother of the four petitioners has since passed away, thus the four petitioners are the only surviving accused and besides Respondent No.2 there is no other complainant/victim.

The complainant/Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered into a

settlement before Delhi Medication Centre, Tis Hazari Courts on 8<sup>th</sup> October, 2013. In 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 on 6<sup>th</sup> June, 2015 and in lieu of her claim of maintenance, istridhan, alimony etc and maintenance for the minor child, Respondent no.2 was entitled to receive ₹9,80,000/- out of which she has already received ₹6,00,000/- and balance amount of ₹3,80,000/- have been received by her today in Court by way of a pay orders bearing Nos. 244325 and 244326 issued by Bank of Baroda, Nirmri Colony Branch, Delhi both dated 01.03.2017 for ₹50,000/- and ₹ 3,30,000/- respectively. She states that the minor child born from the wedlock will remain in her care and custody and the petitioners will have visiting rights as per the terms of the settlement arrived at between the parties. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

Petitioners who are present in the Court and are identified by the counsel, affirm the statement made by respondent no.2 and state that they will abide by the terms of settlement dated 8<sup>th</sup> October, 2013.

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. 58/2008 under Sections 498A/406/34 IPC registered at PS Jahangir Puri New, 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.**

**MARCH 17, 2017**  
**‘sm’**