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

+ CRL.M.C. 4561/2016

SANJAY KUMAR & ORS.

..... Petitioner

Represented by: Mr. R.K. Gupta, Adv. with
petitioners.

versus

STATE & ORS.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Deepak Pandey, PS
Preet Vihar.
Mr. Udai Dhawan, Adv.for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.04.2017

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By the present petition, the petitioners seek quashing of FIR No.619/2005 under Sections 498A/406/494/506/34 IPC registered PS Preet Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the 7 petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 is present in Court and identified by learned counsel. She states that she has settled the matter with the petitioners before Delhi Mediation Centre, Karkardooma Courts on 2nd May, 2016 copy whereof has been placed on record at pages 46 to 48 of the paper book. Even prior to the settlement, the marriage between petitioner No.1 and respondent No.2 had been dissolved by way of decree of divorce by mutual

consent on 15th January, 2008 and at that time respondent No.2 was paid a sum of ₹50,000/-. She states that she has now received a sum of ₹1 lakhs by way of demand draft No.008975 dated 9th March, 2017 drawn on IDBI Bank, B-29, East Jyoti Nagar, Loni Road, Shahdara in addition to ₹50,000/- already received by her at the time of grant of divorce by mutual consent and has no claim whatsoever remaining against the petitioners. She states that as per the settlement, the custody of minor child Nishant would remain with petitioner No.1 and respondent No.2 would neither have the custody nor visitation rights of the minor child. She states that she will abide by the terms of the settlement and does not wish to pursue the above noted 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 the settlement dated 2nd May, 2016.

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.619/2005 under Sections 498A/406/498/506/34 IPC registered PS Preet 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.

APRIL 21, 2017/‘v mittal’