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

+ **CRL.M.C. 348/2017**

PAWAN KUMAR DHINGRA & ORS.

..... Petitioners

Represented by: **Rajnish Singh, Advocate with
petitioners in person.**

versus

STATE & ORS.

..... Respondents

Represented by: **Mr. Ashok K. Garg, APP for
the State with SI Munish
Kumar, PS DBG Road, Central
Delhi.
Respondent No.2 and 3 in
person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.05.2017

By the present petition, the petitioners seek quashing of FIR No. 101/2010 under Sections 498A/406/174A IPC registered at PS Deshbandhu Gupta Road, Delhi on the complaint of the deceased Sakshi, daughter of Respondent Nos.2 and 3 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that in the above noted FIR initially seven accused were arrayed however, Manohar Dhingra has since passed away and Kamal Dhingra's involvement in the offence has not been substantiated because he had left the matrimonial home even prior to Sakshi getting married to Pawan

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Kumar Dhingra. Thus there could be no harassment to Sakshi by Kamal Dhingra. He states that the five petitioners as per the amended memo of parties are the only accused and the respondent Nos. 2 and 3 the parents of the deceased Sakshi, the complainant in the FIR.

A perusal of the record reveals that after Sakshi got registered the above noted FIR, a settlement was arrived at between the parties before the Mediation Centre, Tis Hazari Courts, as per which the petitioners were to pay a total sum of ₹3.50 lakhs to Sakshi towards all her claims. The petition for quashing of this FIR was filed being Crl. M.C. No. 2579/2013 however, the same was dismissed as the petitioners did not agree to pay the arrears with interest on the delayed payment of settlement amount. In the meantime, Sakshi died on 15th May, 2016. The parties have now settled the matter and as per the settlement the petitioners are to pay a total sum of ₹3.65 lakhs to the respondent Nos. 2 and 3, the parents of the deceased Sakshi.

The respondent Nos. 2 and 3, the parents of the deceased Sakshi are present in Court and are identified by the Investigating Officer. They state that as per the settlement arrived at between Sakshi, their deceased daughter and the petitioners and thereafter carried forward by the respondent Nos. 2 and 3, petitioners are required to pay a total sum of ₹3.65 lakhs, out of which they have already received a sum of ₹3.10 lakhs and the balance amount of ₹55,000/- has been received by them today in Court. They state that there is no claim of deceased Sakshi left against the petitioners. They also state that as legal heirs of Sakshi they do not wish to pursue the above noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent Nos.2 and 3. They further state that the demand draft of ₹15,000/- was deposited before the learned Trial Court and since the petitioners have paid the entire amount today, the said draft be directed to be released to them.

The respondent Nos. 2 and 3 have no objection to the same.

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, 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. 101/2010 under Sections 498A/406/174A IPC registered at PS Deshbandhu Gupta Road, Delhi and proceedings pursuant thereto are hereby quashed. The learned Trial Court is directed to release the demand draft of ₹15,000/- deposited by the petitioner No.1 before the learned Trial Court.

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 05, 2017
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