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

+ **CRL.M.C. 191/2017**

GURPREET SINGH & ORS

..... Petitioner

Represented by: Mr. T.D. Shukla, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Dinesh Kumar PS Nihal Vihar.
Mr. S.K. Mishra, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
20.03.2017

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By the present petition the petitioners seek quashing of FIR No. 231/2011 under Sections 498A/406/34 IPC registered at PS Nihal Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the charge-sheet petitioner No.1 and 2 were kept in column No.11 and petitioner No.3 and 4 were kept in column No.12 and petitioner No.3 and 4 have not been summoned by the learned Trial Court. Thus, petitioner No.1 and 2 are the only accused and respondent No.2 the only complainant/ victim.

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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 petitioners pursuant where to divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony etc., respondent No.2 is entitled to receive a sum of ₹2,25,000/- which amount has been received by her and she has now no claim whatsoever remaining against the petitioners. She further states that the minor child Paramjeet Singh born from the wedlock will remain in the care and custody of petitioner No.1 and respondent No.2 will be entitled to meet the child twice in a month which date and time will be fixed as per the convenience of both the parties and the child. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement as noted in the joint statement recorded in HMA No.890/2016 and also made by the respondent No.2 herein before this Court.

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. 231/2011 under Sections 498A/406/34 IPC registered at PS Nihal 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.

MARCH 20, 2017
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