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

+ **W.P.(CRL) 2740/2017**

PANKAJ KUMAR & ORS

..... Petitioners

Represented by: Mr. Robin Tyagi and Mr. Paras
Manchanda, Advocates with
petitioners in person.

versus

THE STATE OF DELHI & ANR

..... Respondents

Represented by: Ms. Richa Kapoor, Additional
Standing Counsel for the State
with SI Praveen Kumar, PS
Mandawali.
Mr. M.K. Mishra, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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18.12.2017

Crl. M.A. No. 15731/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 385/2008 under Sections 498A/406/34 IPC registered at PS Mandawali Fazad Pur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR though other

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accused persons were arrayed however, the charge sheet was filed only against the four petitioners and the respondent No.2 is the only complainant/victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the Petitioners. 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. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹1.50 lakhs which she has already received. Respondent No.2 states that now she has no claim whatsoever remaining against the petitioners. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and she has withdrawn all the cases filed by her against the petitioners. She also states that she will abide by the terms of settlement.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to 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. 385/2008 under Sections 498A/406/34 IPC registered at PS Mandawali Fazad Pur, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 18, 2017
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