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

+ **W.P.(CRL) 2821/2017**

SH SUMIT KHANNA & ORS

..... Petitioners

Represented by: Mr. Vijay Waghey and Mr.
Kushager, Advocates with
petitioner in person.

versus

THE STATE & ORS

..... Respondents

Represented by: Ms. Megha Behl, Advocate for
Mr. Ashish Aggarwal,
Additional Standing Counsel
for State with SI Pawan Singh,
PS Krishna Nagar.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.11.2017

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1. By the present petition the petitioners seek quashing of FIR No. 910/2015 under Sections 498A/406/34 IPC registered at PS Krishna Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Issue notice.

3. Learned proxy counsel for learned Additional Standing Counsel accepts notice on behalf of State. Learned proxy counsel for learned Additional Standing Counsel on instructions from the Investigating Officer submits that in the above noted FIR the four petitioners are the only accused

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and the respondent No. 2 the only complainant/victim in the above noted FIR.

4. The complainant/Respondent No. 2 Ms. Taruna, who is present in Court and is identified by 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 ₹5 lakhs out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹1 lakh has been received by her today in Court vide Bankers Cheque No. 250616 dated 24th November, 2017 drawn on Bank of Baroda, Shalimar Garden, Ghaziabad. Respondent No.2 states that now she has no claim whatsoever remaining against the petitioners and in terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and she will abide by the terms of settlement.

5. Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement arrived at between the parties.

6. 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.

7. Consequently, FIR No. 910/2015 under Sections 498A/406/34 IPC registered at PS Krishna Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

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

9. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 30, 2017
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