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

+ **W.P.(CRL) 3296/2017 & Crl. M.A. 19389/2017**

LALIT KUMAR @ LALIT & ORS

.... Petitioners

Represented by: **Mr.Vimal Puggal, Advocate**

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Represented by: **Mr.Rajesh Mahajan, ASC for
the State with SI Mahavir, PS
Anand Parbat**

**Mr.Rakesh Gupta, Advocate
for respondent No.2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.11.2017

Crl. M.A. 19389/2017 (exemption)

Allowed, subject to all just exceptions.

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1. By this petition the petitioners seek quashing of FIR No.420/16 under Section 498A/406/34 IPC registered at Police Station Anand Parbat on the complaint of respondent No.2 on the ground that parties have settled the matters.

2. Issue Notice.

3. Learned Additional Standing Counsel for the State accepts notice.

4. Learned Additional Standing Counsel, on instructions, submits that in the present FIR, respondent No. 2 is only complainant. He states that

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one more accused i.e. the mother of petitioner No. 1 was arrayed as an accused. However during the course of investigation she passed away. Hence the present petitioners are the only accused persons named in the FIR.

5. Respondent No. 2 is present in court and is identified by her counsel and the Investigating Officer. She states that she has settled the matter with the petitioners and in terms of the settlement, divorce by mutual consent has been granted to petitioner No. 1 and respondent No. 2. In full and final settlement of all her claims i.e. maintenance, streedhan, alimony etc. respondent No. 2 was to receive a sum of ₹1,35,000/- out of which she has already received a sum of ₹1,00,000/- and the balance amount of ₹35,000/- has been handed over to her today vide demand draft No. 384689 dated 31st October, 2017 drawn on State Bank of India, Karol Bagh and respondent No.2 has no claim whatsoever remaining against the petitioners and she does not want to pursue the above mentioned FIR and proceedings pursuant thereto. She further states that she will abide by the terms of the settlement arrived at between the parties.

6. 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 the settlement arrived at between the parties.

7. 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.

8. Consequently, FIR No.420/16 under Section 498A/406/34 IPC registered at PS Anand Parbat, New Delhi and proceedings pursuant thereto are hereby quashed.

9. Petitions No. 1 to 12 and respondent No. 2 have signed this order sheet in acknowledgment of their statements made before this Court.

10. Petition and application are disposed of.

11. Order dasti

MUKTA GUPTA, J.

NOVEMBER 24, 2017

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