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

+ **W.P.(CRL) 3397/2017**

AKSHAY KUMAR GUPTA & ORS. Petitioners

Represented by: Mr. Raj Kumar Rajput,
Advocate with petitioners in
person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondent

Represented by: Mr. Ashish Aggarwal, ASC for
State SI Inderpal with Sneha
Jaiswal, PS Rajouri Garden.
Mr. Orangzeb Ali Khan,
Advocate for respondent No.2
with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.12.2017

Crl.M.A. No. 19997/2017 (Exemption)

Allowed, subject to all just exception.

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1. By the present petition the petitioners seek quashing of FIR No. 868/2016 under Sections 498A/406 IPC registered at PS Rajouri Garden, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions from the Investigating Officer submits that in the above noted FIR the three

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petitioners are the only accused and the respondent No.2 the only complainant/victim.

3. The complainant/Respondent No. 2 Ms. Sneha Jaiswal, 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 ₹12,90,000/- out of which she has already received a sum of ₹8,00,000/- and the balance amount of ₹4,90,000/- has been received by her today in Court vide Demand Draft No. 260949 dated 1st December, 2017 drawn on Yes Bank, Dwarka Sector-7, New Delhi. 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.

4. 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.

5. 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.

6. Consequently FIR No. 868/2016 under Sections 498A/406 IPC registered at PS Rajouri Garden, Delhi and proceedings pursuant thereto are hereby quashed.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 04, 2017
‘yo’