

\$~59

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

+ **W.P.(CRL) 3491/2017**

PAWAN AGGARWAL & ORS

..... Petitioner

Represented by: Ms. Bhakti Pasrija Sethi and
Mr. Moksh Pasrija, Advocates
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Represented by: Mr. Ashish Aggarwal, ASC for
State with SI Sanjeev Kumar,
PS Vivek Vihar, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

13.12.2017

CrI.M.A. No. 20586/2017 (Exemption)

Allowed, subject to all just exception.

W.P.(CRL) 3491/2017

By the present petition the petitioners seek quashing of FIR No. 182/2014 under Sections 498A/354/342/506/34 IPC registered at PS Vivek 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 Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the six petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

W.P.(CRL) 3491/2017

Page 1 of 3

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners, terms whereof are recorded in the statement for divorce by mutual consent. 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 was to pay a sum of ₹13 lakhs which she has already received. 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. She further states that she has withdrawn all the cases instituted by her against the petitioners.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2. They further state that all the cases instituted by them in the various courts have been withdrawn and they undertake to abide by the terms of settlement.

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. 182/2014 under Sections 498A/354/342/506/34 IPC registered at PS Vivek Vihar 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 13, 2017
‘yo’