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

+ **W.P.(CRL) 3421/2017**

SURESH SINGH & ORS

..... Petitioner

Represented by: Ms. Anupriya Yadav, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
ASI Subhash Kumar PS
Prashant Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.12.2017

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CrI.M.A. 20122/2017

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1595/2015 under Sections 498A/406/34 IPC registered at PS Prashant 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 three petitioners are the only accused and respondent No.2 the only complainant/victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the Petitioners in terms of the memorandum of understanding dated 30th November, 2017. Statement for first motion for divorce by mutual consent between the petitioner No.1 and respondent No.2 has already been recorded by the family Court, Ghaziabad. The necessary gift deeds in respect of the property situated at Pitampura has been executed in favour of respondent No.2 and now the respondent No.2 has no claim whatsoever against the petitioners for her maintenance, istridhan, alimony etc. She further states that the two children born from the wedlock i.e. Kanak Yadav and Jay Yadav will remain in her care and custody. The respondent No.2 states that she will abide by the terms of settlement arrived at between the parties and has no objection if the above-noted FIR and the proceedings pursuant thereto are quashed.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of the respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties on 30th November, 2017. Both petitioner No.1 and respondent No.2 also undertake to cooperate with each other for recording of the statement for second motion for divorce by mutual consent.

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. 1595/2015 under Sections 498A/406/34 IPC registered at PS Prashant Vihar, Delhi and proceedings pursuant thereto are hereby quashed.

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 06, 2017
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