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

+ **W.P.(CRL) 68/2018**

ARUN MENON & ORS

..... Petitioner

Represented by: Mr. Harsh Ahuja, Mr. Kushal
Kumar, Ms. Amrita Sharma,
Advts.

versus

STATE OF NCT DELHI & ANR

..... Respondent

Represented by: Mr. Avi Singh, ASC with Ms.
Megha Bahl, Adv. with ASI
Shamsher Singh PS Begum
Pur.
Mr. Rishi Pal Singh, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.01.2018

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CrI.M.A. 418/2018

Exemption allowed subject to just exceptions.

W.P.(CRL) 68/2018 & CrI.M.A. 417/2018 (stay)

By the present petition the petitioners seek quashing of FIR No. 424/2017 under Sections 498A/406/34 IPC registered at PS Begum Pur, 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 three

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petitioners are the only accused and respondent No.2 the only complainant/victim. Respondent No.2 is represented through her brother a special power of attorney in whose favour has been executed and has been annexed as Annexure P6 to the present petition from pages 68 to 70. Brother of respondent No.2 the special power of attorney holder is present in Court and is identified by the learned counsel and the investigating officer. He states that pursuant to the settlement arrived at between the parties on 20th September, 2017 copy whereof is annexed as Annexure P4 to the present petition divorce by mutual consent has been granted between the petitioner No.1 and his sister respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc., petitioners were to pay a sum of ₹8 lakhs out of which respondent No.2 has already received a sum of ₹6 lakhs and the balance amount of ₹2 lakhs has been received by him today in Court by way of demand draft No. '534125' dated 21st December, 2017 drawn on ICICI Bank, New Delhi on her behalf. He states that respondent No.2 has now no claim whatsoever against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. He further states that the respondent No.2 will abide by the terms of settlement arrived at between the parties.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement made by the special power of attorney holder of the respondent No.2 and undertake to abide by the settlement arrived at between the parties vide settlement deed dated 20th September, 2017.

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. 424/2017 under Sections 498A/406/34 IPC registered at PS Begum Pur, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition and application disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 09, 2018
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