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

+ **W.P.(CRL) 441/2018**

NACHIKETA S KALKAR & ANR

..... Petitioners

Represented by: Mr. Manish Kumar and Mr.
Santosh Kumar Sahu,
Advocates with petitioner No.1
in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State with SI Raghu Raj
Singh, PS Mandawali.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.04.2018

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By the present petition the petitioners seek quashing of FIR No. 410/2014 under Sections 498A/406/34 IPC registered at PS Mandawali, 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 the Investigating Officer submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the only complainant/victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the
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Petitioners before the Family Court. 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 ₹8 lakhs to respondent No.2, which she has already received. She further states that she has no claim whatsoever remaining against the petitioners. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

Petitioner No. 2 is aged 70 years and her medical documents have been placed on record, which show that due to diabetes her lower limbs below the knees have been amputated. Thus she is bedridden. Petitioner No. 2 is thus exempted from appearing before this Court. Petitioner No.1 who are present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties.

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. 410/2014 under Sections 498A/406/34 IPC registered at PS Mandawali, Delhi and proceedings pursuant thereto are
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hereby quashed qua all the petitioners.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 18, 2018

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