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

+ **W.P.(CRL) 455/2018**

**GAURAV DHAM & ORS.**

..... Petitioner

Represented by: Mr. Gurmeet Kaur Kapur, Adv.

versus

**THE STATE (GOVT. OF NCT OF DELHI) & ANR.**

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with  
WASI A. Sharma, PS Hari

Nagar.

Mr. Vijay Kr. Sharma, Adv. for  
R-2 with R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**17.04.2018**

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CrI.M.A. 2721/2018

Exemption allowed subject to just exceptions.

W.P.(CRL) 455/2018

By the present petition the petitioners seek quashing of FIR No. 767/2016 under Sections 498A/406/34 IPC registered at PS Hari Nagar, 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 four

**W.P.(CRL) 455/2018**

***page 1 of 3***

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

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners before the Counselling Cell, Family Courts, Tis Hazari on 6<sup>th</sup> November, 2017 copy whereof is annexed as Annexure B to the present petition at pages 34 to 36. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is to receive a sum of ₹5 lakhs out of which she has already received ₹4 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No. '259430' drawn on Central Bank of India. She further states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and 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. 767/2016 under Sections 498A/406/34 IPC registered at PS Hari Nagar, 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.**

**APRIL 17, 2018**  
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