

\$~45

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

+ **W.P.(CRL) 886/2018**

JITENDER SINGH NEGI Petitioner

Represented by: **Mr.Sudeswar Lal, Advocate**

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Represented by: **Mr.Rajesh Mahajan, ASC for the
State with SI Devender, PS Dabri
Mr.Haresh Singh, Advocate for R-2
with R-2 in person**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

07.05.2018

1. By the present petition the petitioners seek quashing of FIR No.487/2016 under Sections 498A/406/34 IPC registered at PS Dabri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the five petitioners are the only accused and the respondent No.2 is the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the petitioners at the National Lok Adalat on 9th September, 2017. In terms of the settlement marriage between the petitioner No.1 and

W.P.(CRL) 886/2018

page 1 of 3

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 ₹13 lakhs to respondent No.2 out of which she has already received a sum of ₹12 lakhs and the balance amount of ₹1 lakh has been received by her today in Court vide Demand Draft No.510869 drawn on ICICI Bank. She further states that the minor child Aarav born from the wedlock would remain in her care and custody and petitioners would neither claim visiting rights nor the custody of the minor son. 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. She undertakes to abide by the terms of settlement.

4. Petitioner Nos.1, 2 and 3 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 arrived at between the parties. Petitioner No.4 has been discharged from the hospital yesterday and petitioner No.4, who is his wife, is looking after him. Thus, petitioner Nos.4 and 5 are exempted.

5. 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.

6. Consequently, FIR No.487/2016 under Sections 498A/406/34 IPC registered at PS Dabri and proceedings pursuant thereto are hereby quashed against all accused.

7. Petitioner Nos.1, 2 and 3 and respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 07, 2018

mamta