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

+ W.P.(CRL) 816/2018

PRADEEP VAJPAI & ORS

..... Petitioners

Represented by: Mr. S.D. Kushwaha, Advocate
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. R.S. Kundu, Additional
Standing Counsel for State and
Mr. Suman Saharan, Advocate
with ASI Dharam Vir Singh,
PS Ghazipur.
Mr. Siddharth Choudhary and
Mr .Vikram Singh, Advocates
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.04.2018

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By the present petition the petitioners seek quashing of FIR No. 390/2014 under Sections 498A/406/34 IPC registered at PS Ghazipur, 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 nine petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

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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 before the Delhi Mediation Centre, Karkardooma Courts on 8th May, 2017, copy whereof is annexed as Annexure-P2 of the paper book. 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 ₹2 lakhs to respondent No.2 out of which she has already received a sum of ₹1.50 lakhs and the balance amount of ₹50,000/- has been received by her today in Court vide Demand Draft No. 126833 drawn on Syndicate Bank, Sector-14, Sonapat, Haryana. She further states that the minor son Harshit, born out of wedlock of petitioner No.1 and respondent No.2 will remain in her care and custody and the Petitioner No.1 would have the visiting rights as settled amongst the parties and that the petitioner No. 1 would pay a sum of ₹5,000/- by way of cheque in favour of respondent No. 2 towards the welfare of the minor child by way on 10th of every consecutive English calendar month starting from May, 2017. She states that the monthly payments till date have already been received by her. 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.

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

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the terms of settlement arrived at between the parties before the Delhi Mediation Centre, Karkardooma Courts.

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. 390/2014 under Sections 498A/406/34 IPC registered at PS Ghazipur, 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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