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

+ **W.P.(CRL) 719/2018**

MOHIT GUPTA & ORS

..... Petitioners

Represented by: Mohd. Atif and Mr. Rajendra
Singh, Advocates with
petitioners in person.

versus

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

Represented by: Ms. Kamna Vohra, ASC with
SI Anita, PS Paschim Vihar.
Mr. Navit Bansal, Advocate for
complainant/R-2 with
respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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08.03.2018

Crl.M.A. No. 4369/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 306/2016 under Sections 498A/406/34 IPC registered at PS Paschim Vihar, 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 submits that in the above noted FIR the three 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

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learned counsel and Investigating Officer states that she has settled the matter with the Petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 24th September, 2016, copy of which order is placed on record at pages 45 to 52 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 ₹12,50,000/- to respondent No.2 out of which she has already received a sum of ₹10,50,000/- and the balance amount of ₹2 lakhs has been received by her today in Court vide Demand Draft No. 009334 drawn on HDFC Bank dated 3rd March, 2018. 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 also states that she 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 arrived at between the parties before the Delhi Mediation Centre, Tis Hazari Courts on 24th September, 2016.

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. 306/2016 under Sections 498A/406/34 IPC registered at PS Paschim Vihar, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

Parties have signed this order sheet in acknowledgment of their statements made before this Court. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 08, 2018
‘yo’