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

+ **W.P.(CRL) 733/2018**

ROHIT SINGH & ORS

..... Petitioners

Represented by: Mr. Wasi Haider, Advocate
with petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Represented by: Ms. Kamna Vohra, ASC.
Ms. Kritika, Advocate for
respondent No. 2.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **09.03.2018**

Crl.M.A. No. 4502/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1432/2014 under Sections 498A/406/34 IPC registered at PS New Ashok 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 submits that in the above noted FIR the four 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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Investigating Officer states that she has settled the matter with the petitioners vide the Memorandum of understanding dated 28th November, 2017, copy whereof is placed on record at pages 88 to 93 of the paper book. Further Memorandum of Understanding has also been executed between the parties on 7th March, 2018. She states that 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 ₹16 lakhs to respondent No.2 out of which she has already received a sum of ₹ 12 lakhs and the balance amount of ₹4 lakhs has been received by her today in Court vide Demand Draft No. 397062 dated 16th February, 2018 drawn on City Bank. She further states that she has also received the registration certificate, transfer letter and no objection certificate in respect of the vehicle model-Duster, registration No. MH04FZ 285 which has been transferred in her fathers' name by the petitioner. She states that she has now 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 the two Memorandum of understandings dated 28th November, 2017 and & 7th March, 2018.

Petitioner Nos. 2,3 and 4 are not present and have executed special power of attorneys in favour of the petitioner which have been placed on record. Petitioner No. 1 on his behalf and as Power of Attorney holder of petitioner Nos. 2, 3 and 4 affirms the statement of respondent No.2 and

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undertakes to abide by the terms of two Memorandum of Understanding arrived at between the parties on 28th November, 2017 and 7th March, 2018.

Petitioner No. 1 further states that he has executed the necessary documents of transfer of the vehicle model- Duster registration No. MH04FZ 285, however, in case any further document is required to be executed in relation to the transfer of the said vehicle by the respondent No. 2 or her father, he would co-operate in the same.

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. 1432/2014 under Sections 498A/406/34 IPC registered at PS New Ashok Nagar, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

Condition of grant of bail imposed on the petitioner No. 1 vide order dated 8th September, 2016 that the petitioner No. 1 will not leave the country without prior permission of the Court concerned is also set aside.

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 09, 2018/‘yo’
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