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

+ **W.P.(CRL) 852/2018**

NAVEEN & ORS.

..... Petitioner

Represented by: **Mr. M.K. Sharma, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Ms. Kamna Vohra, ASC with
WASI Babita PS Nabi Karim.
Mr. Surender Kumar, Adv. for
R-2 with R-2 in person.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.03.2018

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CrI.M.A. 5318/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 192/2016 under Sections 498A/406/34 IPC registered at PS Nabi Karim, 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 3 petitioners are the only accused and respondent No.2 the only complainant/victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. Respondent No.2 states that she has settled the matter with the Petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 8th December, 2016 where after 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 ₹3,50,000/- out of which she has already received ₹3 lakhs and the balance amount of ₹50,000/- has been received by her today in Court by way of demand draft No. '701315' drawn on Corporation Bank. She states that she has now no claim whatsoever against the petitioners and the minor child Cheenu born from the wedlock of the petitioner No.1 and respondent No.2 will remain in her care and custody and the petitioners will not have the visiting rights of the child, though inadvertently in the terms of the settlement before the Delhi Mediation Centre it has been mentioned that petitioner No.1 would have the visiting rights.

Petitioners No.1 and 3 are present in Court and are identified by the learned counsel. They affirm the statement of respondent No.2. Petitioners also state that they would not be entitled to the custody or the visiting rights of the minor child baby Cheenu and undertake to abide by the terms of settlement arrived at between the parties.

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. 192/2016 under Sections 498A/406/34 IPC registered at PS Nabi Karim, 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.

MARCH 22, 2018

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