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

+ W.P.(CRL) 875/2018

PANKAJ BUDHIRAJA & ORS.

... Petitioners

Represented by: Mr.Kamal Mehta, Advocate

versus

STATE & ANR.

... Respondents

Represented by: Ms.Kamna Vohra, ASC for the
State with SI Mukesh Yadav,
PS Jagatpuri
Mr.Parveen Malik with
Mr.Ghanshyam Yadav,
Advocates for respondent No.2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.07.2018

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By the present petition, the petitioners seek quashing of FIR No.20/2015 under Sections 498A/406/34 IPC registered at PS Jagat Puri, New 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 six petitioners were arrayed as accused however, charge-sheet was filed against petitioners No.1 to 5 only. She further states that respondent No.2 is the only complainant/ victim in the above noted FIR.

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 Counselling Cell, Family Court, Karkardoom Courts on 19th September, 2016, copy whereof is annexed as Annexure-B to the present petition. Pursuant to the settlement divorce by mutual consent has been granted between Petitioner No.1 and Respondent No.2/complainant. In full and final settlement of all her claims i.e. maintenance, streedhan and alimony etc. respondent No. 2 is entitled to receive a sum of ₹3,50,000/- out of which she has already received ₹2,50,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court by cash. She states that she has no claim whatsoever remaining against the petitioners and in terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. She further states that she will abide by the terms of the settlement arrived at between the parties.

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 dated 19th September, 2016 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. 20/2015 under Sections 498A/406/34 IPC registered at PS Jagat Puri, New Delhi and proceedings pursuant thereto are hereby quashed.

Petition is disposed of. Order Dasti.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

MUKTA GUPTA, J.

JULY 24, 2018
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