

\$~40

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

+ **W.P.(CRL) 873/2018**

KAMALL ARYA & ORS

..... Petitioner

Represented by: Mr. Vineet Aggarwal and Mr.
Siddharth, Advocates.
Petitioners in person.

versus

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

Represented by: Mr. R.S. Kundu, ASC with SI
Dayawati, PS Vivek Vihar.
Mr. Arun Sheoray and Mr.
Sushil Kumar, Advocates for
R-2. R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

23.03.2018

CrI.M.A. No. 5453/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 873/2018

By the present petition the petitioners seek quashing of FIR No. 197/2017 under Sections 498A/406/34 IPC registered at PS Vivek 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 four petitioners are the only accused

W.P.(CRL) 873/2018

page 1 of 3

and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before Delhi Mediation Centre, Karkardooma Courts on 4th July, 2017 copy whereof is annexed as Annexure P-2 to the present petition. 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 ₹7 lakhs to respondent No.2 out of which she has already received a sum of ₹5 lakhs and the balance amount of ₹2 lakhs has been received by her today in Court vide Demand Draft No. 152695 drawn on HDFC Bank. 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.

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 Delhi before Delhi Mediation Centre, Karkardooma Courts on 4th July, 2017.

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. 197/2017 under Sections 498A/406/34 IPC registered at PS Vivek Vihar, 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 23, 2018
‘yo’