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

+ **W.P.(CRL) 878/2018**

BHARAT BANDHU & ANR Petitioners

Represented by: **Mr.A.S.Thapa, Advocate**

versus

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

Represented by: **Ms.Amita Sachdeva, Advocate for
Ms.Richa Kapoor, ASC for the State
Insp.S.S.Chahal, PS Vijay Vihar**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.09.2018

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1. By this petition, the petitioners seek quashing of FIR No.1746/2015 under Sections 498A/406/34 IPC registered at PS Vijay Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for 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.

3. Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that divorce by mutual consent has been granted between petitioner No.1 and respondent No.2/complainant and in lieu of all her claims of maintenance, streedhan and alimony etc., respondent No.2 was

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to receive a total sum of ₹2,50,000/- out of which she has already received a sum of ₹1,50,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court in cash. She further states that a further settlement was arrived at between the parties at the Delhi High Court Mediation and Conciliation Centre on 1st June, 2018 whereafter the maintenance, custody and visiting rights of the minor child Devansh has been granted. She states that in terms of the settlement now arrived at before Delhi High Court Mediation and Conciliation Centre, the minor child Devansh will live in care and custody of respondent No.2 and the petitioner will have the visiting rights as noted in the settlement. Further for the maintenance of the minor child Devansh, a sum of ₹2,000/- per month till June, 2019 and thereafter a sum of ₹2,200/- per month till June, 2020 with a further increase of 10% thereon every year shall be transferred directly to the account of Devansh under the guardianship of respondent No.2 in account bearing No.0778001500012588 with Punjab National Bank by 10th of each calendar Month. She states that she has already received four instalments of the said maintenance amount for the minor child. She states that in terms of the settlement, she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She also undertakes to abide by the terms of settlement arrived at between the parties.

4. Petitioners Nos.1 and 2 are present in Court and are identified by the learned counsel. Petitioner Nos.3 and 4 are not present in Court for the reason petitioner No.3 is out of country and petitioner No.4 is not well. Thus, petitioner Nos.3 and 4 are exempted from appearing before this Court. Petitioner Nos.1 and 2 affirm the statement of respondent No.2 and

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undertake to abide by the terms of settlement arrived at between the parties. They undertake to abide by the terms of settlement arrived at between the parties.

5. 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.

6. Consequently, FIR No.1746/2015 under Sections 498A/406/34 IPC registered at PS Vijay Vihar and proceedings pursuant thereto are hereby quashed qua all petitioners.

7. Petitioners Nos.1 and 2 and respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 19, 2018

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