

\$~39

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

+ W.P.(CRL) 1283/2018

NAMNEET SINGH & ANR Petitioners

Represented by: Ms. Uma, Adv

versus

THE STATE & ANR Respondents

Represented by: ASI Surender, PS Tilak Nagar
Mr. Manu Sharma, Adv for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

18.09.2018

By the present petition the petitioners seek quashing of FIR No. 656/2016 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, 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 proxy counsel appearing for the learned Addl. Standing Counsel for the State on instructions submits that in the above noted FIR the eight 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 learned counsel and Investigating Officer states that she has settled the matter with the Petitioners before the learned Addl. Sessions Judge (Fast Track Court)-01, Tiz Hazari Courts, Delhi on 13th September, 2017 in terms

of the joint statement of parties; copy whereof is copy whereof is annexed as Annexure-2 of the paper book. 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 ₹11.5lakhs to respondent No.2 out of which she has already received a sum of ₹8 lakhs and the balance amount of ₹3.5 lakh has been received by her today in Court vide Demand Draft No. 816882 drawn on Kotak Mahindra 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.

Petitioner nos. 1, 2 and 4 to 7 who are present in Court and are identified by the learned counsel. Petitioner nos.3 and 8 have already been exempted from appearing personally before this Court vide order dated 24th July, 2018. Petitioner nos. 1, 2 and 4 to 7 affirm the statement of respondent No.2 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. 656/2016 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, New 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.

SEPTEMBER 18, 2018

'seema'