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

\+ W.P.(CRL) 942/2018

MOHIT SHARMA & ORS ..... Petitioner

Represented by: Mr. Vikram Baweja, Advocate.
Petitioner Nos. 1 to 3 in person.

versus

THE STATE & ANR ..... Respondent

Represented by: Ms. Srilina Roy, Advocate for Ms. Nandita Rao, ASC for State with ASI Vijay, PS Mandawali.
Mr. R.K. Sharma, Advocate for respondent.
Respondent No. 2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

O R D E R

% **04.04.2018**

Crl.M.A. No. 5844/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 942/2018

By the present petition the petitioners seek quashing of FIR No. 1130/2015 under Sections 498A/406/34 IPC registered at PS Mandawali, 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 five petitioners are the only accused and 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 Delhi Mediation Centre, Karkardooma Courts on 15th September, 2017, copy whereof is annexed as Annexure-C 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 ₹2,66,000/- to respondent No.2 out of which she has already received a sum of ₹1,66,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court vide Demand Draft No. 700085 drawn on Bank of India. She further states that she has no claim whatsoever remaining against the petitioners and 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 settlement.

Petitioner Nos. 1 to 3 who are present in Court and are identified by the learned counsel. Petitioner Nos. 4 and 5 are the unmarried sister of petitioner No. 1 and could not come as they are looking after their sister-in-law who has suffered a miscarriage. Thus, petitioner Nos. 4 and 5 are exempted from appearing this Court. Petitioner Nos. 1 to 3 affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties before Delhi Mediation Centre, Karkardooma Courts on 15th September, 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. 1130/2015 under Sections 498A/406/34 IPC registered at PS Mandawali, 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.

APRIL 04, 2018
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