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

+ **W.P.(CRL) 957/2018**

RAJ KUMAR & ORS

..... Petitioner

Represented by: **Mr. S.K. Kashyap, Advocate.**

versus

THE STATE & ORS

..... Respondent

Represented by: **Mr. Avi Singh, ASC with Mr. Shashank Vachher, Advocate with SI Santosh, PS New Usmanpur.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.04.2018

CrI.M.A. No. 5938/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 121/2013 under Sections 498A/406/34 IPC registered at PS New Usmanpur, 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 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

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Investigating Officer states that she has settled the matter with the petitioner No. 1 and respondent No. 2, the terms of settlement between the parties have been reduced into writing in the statements recorded during the divorce proceedings and as well as the order passed by the learned Principal Judge, Family Court. 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 ₹3,50,000/- to respondent No.2 out of which she has already received a sum of ₹3,00,000/- and the balance amount of ₹50,000/- has been received by her today in Court by cash.

From the wedlock of petitioner No. 1 and respondent No. 2 twin sons were born that is master Dhruv and master Jatin. It has been decided that master Dhruv will remain in care and custody of petitioner No. 1 whereas master Jatin would remain in care and custody of respondent No. 2. Both the parents are entitled to the visiting rights of the child in the custody of other parent and the two brothers would also be entitled to meet each other.

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 and will abide by the terms of settlement.

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.

In view of the fact that the parties have amicably resolved their
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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. 121/2013 under Sections 498A/406/34 IPC registered at PS New Usmanpur, 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 05, 2018
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