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

+ **W.P.(CRL) 1064/2018**

PRADEEP KUMAR SHARMA & ORS

..... Petitioners

Represented by: Mr. Himanshu Tyagi and Mr.
Anish Sharma, Advocates with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for State with
ASI Gayender Singh, PS
Mahendra Park.
Mr. R.S. Sharma, Advocate for
respondent No. 2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.04.2018

Crl. M.A. No. 6527/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.210/2015 under Sections 498A/406/34 IPC registered at PS Mahendra Park, 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 from the Investigating Officer submits that in the above noted FIR the three

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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 Family Court, North District, Rohini, Delhi on 8th January, 2018, copy of which order is at page 40 of 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 ₹9 lakhs to respondent No.2 out of which she has already received a sum of ₹6 lakhs and the balance amount of ₹3 lakhs has been received by her today in Court vide Demand Draft No. 068153 dated 7th April, 2018 drawn on Punjab National Bank, Mustafabad, Delhi. She further states that she has no claim whatsoever remaining against the petitioners. Respondent No. 2 further states that though not recorded in the order dated 8th January, 2018 of the Family Court, North District, Rohini, parties have settled that the minor daughter Hiral born out of the wedlock of the petitioner No. 1 and respondent No.2 will stay in the care and custody of respondent No. 2. Petitioners would neither have the custody nor the visiting rights, however, on attaining majority in case the daughter so wishes can meet her father and claim her rights. 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 the 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 before the Family Court, North District, Rohini and as stated by the respondent No. 2 hereinabove.

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.210/2015 under Sections 498A/406/34 IPC registered at PS Mahendra Park, 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 12, 2018/‘vn’