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

+ **W.P.(CRL) 1055/2018**

**ATEET GUPTA & ORS**

..... Petitioners

Represented by: **Mr. Rohit Goel, Advocate with  
petitioners in person.**

versus

**STATE (NCT OF DELHI) & ANR**

..... Respondents

Represented by: **Mr. Rajesh Mahajan,  
Additional Standing Counsel  
for State and Ms.Jyoti Babbar,  
Advocate with SI Abhijit  
Kumar, PS Civil Lines.  
Mr. Bharat Kumar, Advocate  
for respondent No.2 with  
respondent No.2 in person.**

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**11.04.2018**

**Crl. M.A. No. 6460/2018 (Exemption)**

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.213/2016 under Sections 354/354/506/34 IPC registered at PS Civil Lines, 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 the above noted FIR is an

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offshoot of a matrimonial dispute between the petitioner No.1 and respondent No.2 and that the parties have settled the matter before the Counselling Cell, Family Court, North District on 16<sup>th</sup> November, 2017. He further states in the above noted FIR the five petitioners are the only accused and the respondent No.2 is the only complainant/ victim and that besides the above noted offences Section 323 IPC was subsequently added to the FIR.

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 Counselling Cell, North District, Family Court, copy whereof is annexed as Annexure-P2 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 ₹17.50 lakhs to respondent No.2 out of which she has already received a sum of ₹11.50 lakhs and the balance amount of ₹6 lakhs has been received by her today in Court, ₹4.50 lakhs by way of Demand Draft Nos.322686 dated 10<sup>th</sup> April, 2018 drawn on Punjab National Bank and 501550 dated 10<sup>th</sup> April, 2018 drawn on ICICI Bank and ₹1.50 lakhs by way of cash. 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 she will abide by the terms of the settlement as incorporated in the settlement and statement of the parties recorded before the Family Court.

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 and undertake to abide by the terms of settlement.

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. 213/2016 under Sections 354/354/506/34 IPC registered at PS Civil Lines, 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 11, 2018**

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