

\$~27

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

+ **W.P.(CRL) 1082/2018**

RAMA KANT & ORS

..... Petitioner

Represented by: **Mr. A.S. Juneja, Advocate.**

versus

THE STATE OF DELHI & ANR

..... Respondent

Represented by: **Ms. Srilina Roy, proxy counsel
on behalf of Ms. Nandita Rao,
ASC with SI Vijay Kumar, PS
Mayur Vihar.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

13.04.2018

Crl.M.A. No. 6642/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 1082/2018

By the present petition the petitioners seek quashing of FIR No. 643/2015 under Sections 498A/406/34 IPC registered at PS Mayur Vihar 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 for the learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the three petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

W.P.(CRL) 1082/2018

page 1 of 3

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners before Delhi Mediation Centre, Karkardooma Courts, Delhi on 9th November, 2015 copy whereof is annexed as Annexure B 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 ₹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 vide Demand Draft No. 071459 drawn on Bank of Baroda. 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.

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 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. 643/2015 under Sections 498A/406/34 IPC registered at PS Mayur Vihar 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 13, 2018
‘yo’