

\$~63

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

+ **W.P.(CRL) 1132/2018**

PAWAN BERRY & ORS

..... Petitioner

Represented by: Mr. R.K. Pillai, Advocate.
With petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Iti Pandey, Advocate on
behalf of Ms. Nandita Rai,
ASC for the State with Insp.
Kusum Lata, PS Dwarka South.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

%

17.04.2018

CrI.M.A. No. 6895/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 1132/2018

By the present petition the petitioners seek quashing of FIR No. 566/2016 under Sections 498A/406/34 IPC registered at PS Dwarka, 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

W.P.(CRL) 1132/2018

page 1 of 3

complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Counselling Cell Family Court, Dwarka on 13th January, 2017 copy whereof is annexed as annexure- C of the present petition. She states that in terms of settlement she is now residing happily with the petitioner No. 1 and their minor son along with the petitioner Nos. 2 and 3 in the matrimonial home. She states that she has now no cause of grievance and will abide by the terms of settlement arrived at between the parties and does not wish 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 before the Counselling Cell Family Court, Dwarka on 13th January, 2017 and assure that no cause of grievance will be given to the respondent No. 2.

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. 566/2016 under Sections 498A/406/34 IPC registered at PS Dwarka, Delhi and proceedings pursuant thereto are hereby
W.P.(CRL) 1132/2018

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 17, 2018
‘yo’