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

+ **W.P.(CRL) 1497/2018**

NEERAJ KUMAR KANOJIA

..... Petitioner

Represented by: Mr.Jitender Kumar, Advocate with
Petitioner in person

versus

THE STATE OF DELHI& ANR

..... Respondents

Represented by: Mr.Ranbir Singh Kundu, ASC for
State with Ms.Suman Saharan and
Mr.Bhagat Singh, Advocates and SI
Gaurav, PS Vivek Vihar
Mr.Ashwani Gautam and Mr.Mukul
Mohan, Advocates

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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15.05.2018

CrI.M.A.No.9199/2018

Allowed subject to just exceptions.

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1. By the present petition, the petitioner seeks quashing of FIR No.11/2014 under Sections 498A/406/34 IPC registered at PS Vivek Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR though nine accused were arrayed

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however charge sheet was filed keeping only petitioner in Column XI and three other accused were kept under Column XII who have not been summoned by the learned Trial Court. Hence petitioner is the only accused and respondent No.2 is complainant/victim.

3. 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 petitioner before the Delhi High Court Mediation and Conciliation Centre on 17th May, 2014. In terms of the settlement marriage between the petitioner 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 has to pay a sum of ₹3.75 lakhs to respondent No.2 out of which she has already received a sum of ₹2.5 lakhs and the balance amount of ₹1.25 lakhs has been received by her today in Court vide Demand Draft No.109999 drawn on Axis Bank Ltd. She further states that she has no claim whatsoever remaining against the petitioner. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement.

4. Petitioner who is present in Court and is identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement.

5. 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.

6. Consequently, FIR No.11/2014 under Sections 498A/406/34 IPC registered at PS Vivek Vihar and proceedings pursuant thereto are hereby quashed.

7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 15, 2018

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