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

+ **W.P.(CRL) 1430/2018**

HISHWINDER SINGH & ORS

..... Petitioners

Represented by: Mr. Vinod Kumar Singh,
Advocate with petitioner Nos.
1, 2 and 4 in person.

versus

NCT OF DELHI & ANR

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State with ASI Subhash, PS
Jagat Puri.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.05.2018

Crl. M.A. No.8719/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 1430/2018

By the present petition the petitioners seek quashing of FIR No. 52/2018 under Sections 498A/406/34 IPC registered at PS Jagat Puri, 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 submits that in the above noted FIR the four 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
W.P.(CRL) 1430/2018

Page 1 of 3

Investigating Officer states that she has settled the matter with the Petitioners. Marriage between the petitioner No.1 and respondent No.2 has already been annulled by learned Additional District Judge, Chandigarh on 7th November, 2014. As per the oral settlement arrived at between the parties, 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 lakhs to respondent No.2 which she has received today in Court vide Demand Draft No. 083610 dated 8th May, 2018 drawn on State Bank of India, Jagatpuri Delhi. 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.

Petitioner Nos. 1, 2 and 4 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. Petitioner No.3 is the married sister of petitioner No.1 and resident of Chandigarh, thus could not come to the Court. Petitioner No.3 is exempted from appearing before this Court.

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. 52/2018 under Sections 498A/406/34 IPC registered at PS Jagat Puri, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 09, 2018
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