

27# \$~

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

+ W.P.(CRL) 1615/2018

AMRISH SINGH & ORS.

..... Petitioners

Represented by: Mr. Mukesh K. Mishra and
Mr. Deepak Sinha, Advocates
with petitioner Nos. 1 to 5 in
person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Srilina Roy, Advocate for
Ms. Nandita Rao, Additional
Standing Counsel for State with
SI Rahul Sagar, PS Seemapuri.
Mr. Yogender Sharma and Mr.
D.S. Vohra, Advocate for
respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.07.2018

%

By the present petition the petitioners seek quashing of FIR No. 401/2012 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS Seemapuri, 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 learned Additional Standing Counsel for the State on instructions submits that though all the nine petitioners were named in the FIR however, charge sheet has already been filed against
W.P.(CRL) 1615/2018

Page 1 of 3

petitioner Nos. 1 to 5 and petitioner Nos. 6 to 9 have not been charge sheeted. She further states that respondent No. is the only complainant/victim.

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 Delhi Mediation Centre, Karkardooma Courts, Delhi on 8th June, 2016, copy whereof is annexed as Annexure-P-3 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 ₹16 lakhs to respondent No.2 out of which she has already received a sum of ₹10 lakhs and the balance amount of ₹6 lakhs has been received by her today in Court vide Demand Draft Nos. 001328 and 082383 dated 18th July, 2018 drawn on IDBI Bank and Stat Bank of India respectively. 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 undertakes to abide by the terms of settlement.

Petitioner Nos. 1 to 5 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

W.P.(CRL) 1615/2018 ***Page 2 of 3***

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. 401/2012 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961 registered at PS Seemapuri, 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.

JULY 20, 2018

‘vn’