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

+ W.P.(CRL) 1563/2018

GURPREET SINGH & ORS.

..... Petitioners

Represented by: Mr.Viney Sharma, Advocate with
Petitioners in person

versus

STATE GOVT. OF NCT DELHI & ANR

..... Respondents

Represented by: Ms.Nandita Rao, ASC for the State
with SI Manoj Kumar, PS Rajouri
Garden
Mr.Sahil Talwar, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.12.2018

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1. By this petition, the petitioners seek quashing of FIR No.158/2010 under Sections 498A/406/34 IPC registered at PS Rajouri Garden, Delhi 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 the six petitioners as impleaded by the amended memo of parties are the only accused and the respondent No.2 is the only 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

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matter with the petitioners whereafter 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 ₹80,000/- to respondent No.2 out of which she has already received a sum of ₹70,000/- and the balance amount of ₹10,000/- has been received by her today in Court vide Demand Draft No.033314 drawn on Andhra Bank. She further states that she has no claim whatsoever remaining against the petitioners. From the wedlock of petitioner No.1 and respondent No.2, a son namely Jasnam was born on 1st September, 2007 who will remain in the care and custody of respondent No.2 and the petitioners would neither have custody nor the visiting rights. 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.

4. 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.

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.158/2010 under Sections 498A/406/34 IPC registered at PS Rajouri Garden, Delhi 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.

DECEMBER 11, 2018

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