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

+ **W.P.(CRL) 1650/2018**

SANJAI SRIVASTAVA & ORS Petitioners

Represented by: Petitioner No.1 in person

versus

THE STATE & ANR Respondents

Represented by: Ms.Iti Pandey, Advocate for
Ms.Nandita Rao, ASC for the State
with ASI Neeraj, PS Dabri

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.08.2018

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1. By this petition, the petitioners seek quashing of FIR No.116/2016 under Sections 498A/406/34 IPC registered at PS Dabri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the seven petitioners are the 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 Investigating Officer states that she has settled the matter with the petitioners before the Family Courts, North District, Rohini on 23rd November, 2017, annexed as Annexure 'B' to the present petition.

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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 ₹7 lakhs to respondent No.2 out of which she has already received a sum of ₹3 lakhs and the balance amount of ₹4 lakhs has been received by her today in Court vide Demand Draft No.493451 drawn on Allahabad Bank. 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. She states that she will abide by the terms of settlement.

4. Petitioner No.1 who is present in Court and is identified by the Investigating Officer affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement. Petitioners Nos.2, 5, 6 and 7 are residents of Bengaluru and petitioner Nos.3 and 4 are residents of Gorakhpur, UP. Hence they are exempted from appearing before this Court.

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.116/2016 under Sections 498A/406/34 IPC registered at PS Dabri and proceedings pursuant thereto are hereby quashed qua all the petitioners.
7. Petitioner No.1 and Respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.
8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 17, 2018

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