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

+ **W.P.(CRL) 1976/2018**

SURJEET SINGH GUJRAL & ORS Petitioners

Represented by: Mr.Ranvir Vats and Mr.Vaibhav
Arora, Advocates

versus

THE STATE (NCT OF DELHI)& ANR Respondents

Represented by: Mr.Sanjay Lao, ASC for the State
with ASI Jay Prakash, PS CWC
Nanak Pura
Mr.Abraham, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.07.2018

Crl.M.A.No.12178/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.1976/2018

1. By the present petition, the petitioners seek quashing of FIR No.168/2016 under Sections 498A/406/34 IPC registered at PS Crime Against Women Cell, Nanak Pura 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 besides the four petitioners, father of petitioner No.1 Avtar Singh was also added as accused who has since passed

away, thus now the four petitioners 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 matter with the petitioners before the Delhi Mediation Centre, Tis Hazari Courts on 1st May, 2017, copy whereof has been handed over in Court and is taken on record. She states that 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 ₹15 lakhs to respondent No.2 out of which she has already received a sum of ₹12 lakhs and the balance amount of ₹3 lakhs has been received by her today in Court vide Demand Draft No.001950 drawn on Axis Bank Ltd. She states that from the wedlock, a minor daughter namely Mankeerat Kaur was born on 13th January, 2014 who will remain in the care and custody of the respondent No.2 and the petitioner would have visitation rights to meet the daughter once in a month at the nearby Gurudwara of the house of the complainant with prior intimation. 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.

4. Petitioner No.1 who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties. Petitioners

No.2 to 4 are residents of UP and thus are exempted from appearing personally.

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.168/2016 under Sections 498A/406/34 IPC registered at PS Crime Against Women Cell, Nanak Pura and proceedings pursuant thereto are hereby quashed against all the petitioners.

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.

JULY 09, 2018

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