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

+ W.P.(CRL) 1760/2018

TALIB & ORS

..... Petitioners

Represented by: Mr.Dalip Kumar Santoshi, Advocate

versus

THE STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Ms.Richa Kapoor, ASC for the State
With SI Ranbir Singh, PS Neb Sarai

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.10.2018

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1. By this petition the petitioners seek quashing of FIR No.306/2015 under Sections 498A/406/34 IPC registered at PS Neb Sarai 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 five petitioners are the only accused and the respondent No.2 is the only complainant/victim. She further states that in the FIR five petitioners were arrayed as accused however charge sheet has been filed keeping petitioner Nos.1, 2 and 3 in column No.11 and petitioner Nos.4 and 5 in column No.12. She further states that the settlement arrived at between the parties before the Counselling Cell, Family Courts, Saket Courts Complex mentions about one other FIR being FIR

No.238/2015 under Sections 354/323/34 IPC however does not mention the abovenoted FIR but it is specifically agreed between the parties that all disputes relating to the matrimonial offences between petitioner No.1 and respondent No.2 were settled by the said settlement and parties agreed that either of the parties will not file civil or criminal case against each other.

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 at the Counselling Cell, Family Courts, Saket Courts Complex on 4th November, 2015 and she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the abovenoted FIR and the proceedings pursuant thereto.

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. Petitioners further state that the present FIR could not be mentioned in the settlement as the petitioners had no knowledge of the FIR.

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.306/2015 under Sections 498A/406/34 IPC registered at PS Neb Sarai 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.

OCTOBER 04, 2018

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