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

+ **W.P.(CRL) 1805/2018**

SANJAY PAL & ORS

..... Petitioner

Represented by: Mr. Hari Rampal, Advocate.

versus

THE STATE (GOVT. OF NCT OF DELHI) & ANR Respondent

Represented by: Mr. Jamal Akhtar, Advocate
for Mr. Rahul Mehra, Standing
Counsel with SI Ashish Kumar,
PS Bhajanpura.
Mr. Deepak Kumar, Advocate
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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31.07.2018

Crl.M.A. No. 11146/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 511/2016 under Sections 498A/406/34 IPC registered at PS Bhajan Pura, 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 Standing Counsel for the State on instructions submits that in the above noted FIR eight persons were arrayed

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as an accused, however, pursuant to investigation charge sheet is filed only against petitioner Nos. 1, 2 and 3 i.e. husband, father-in-law and mother-in-law of the complainant, namely, Sanjay Pal, Babu Ram and Smt. Maya Devi. He states that petitioner Nos. 4 to 6 i.e. Manoj pal, Smt. Preeti Pal and Smt. Mamta Pal are being kept in column No. 12 besides Jaswant Singh and Mukesh Pal who are distant relative will also be kept in column No. 12. He submits that thus petitioner Nos. 1, 2 and 3 are the only accused and the respondent No.2 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 Counselling Cell, Family Court, Vishwas Nagar, Delhi on 18th November, 2016 and copy of the order is annexed as Annexure-P2 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 ₹5.50 lakhs to respondent No.2 out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹1.50 lakhs has been received by her today in Court in Cash. She further states that she has now 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 further undertakes to abide by the terms of settlement.

Petitioner Nos. 1, 2 and 3 who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and

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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 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. 511/2016 under Sections 498A/406/34 IPC registered at PS Bhajan Pura, 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 31, 2018
‘yo’