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

+ **W.P.(CRL) 2009/2018**

SRIRANG PRAKASH & ORS

..... Petitioner

Represented by: Mr. Sudhir Kumar and Mr.
Ajay Kumar, Advocates.

versus

THE STATE & ANR

..... Respondent

Represented by: Ms. Iti Pandey, Advocate on
behalf of Ms. Nandita Rao,
ASC with SI Indrapal Singh,
PS Madhu Vihar.
Mr. Deepak Kumar Singh,
Advocate for respondent.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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10.07.2018

CrI.M.A. No. 12306/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 406/2013 under Sections 498A/406/34 IPC registered at PS Madhu Vihar, 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 Additional Standing Counsel for

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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.

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 Family Courts, Shahdara, Karkardooma on 14th February, 2017, copy whereof is annexed as Annexure-P14 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 ₹6 lakhs to respondent No.2 out of which she has already received a sum of ₹3 lakhs and the balance amount of ₹3 lakhs has been received by her today in Court vide Demand Draft No. 883407 drawn on Indian Overseas Bank dated 20th April, 2018. 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 further undertakes to abide by the terms of settlement.

Petitioners No. 1, 3 to 5 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. Petitioner No. 2 who is aged 87 years and has to travel from Ghazipur is exempted from appearing the Court.

In view of the fact that the parties have amicably resolved their
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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. 406/2013 under Sections 498A/406/34 IPC registered at PS Madhu Vihar, Delhi and proceedings pursuant thereto are hereby quashed against all the petitioners.

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 10, 2018
‘yo’