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

+ **W.P.(CRL) 2298/2018**

NEERAJ SHARMA

..... Petitioner

Represented by: Mr.Dinesh Kumar, Mr.Kapil Kumar
and Mr.Mukul, Advocates

versus

STATE(GOVT. OF NCT OF DELHI)

..... Respondent

Represented by: Mr.Jamal Akhtar, Advocate for
Mr.Rahul Mehra, Standing Counsel
for the State with ASI Sukh Pal, PS
Karawal Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.12.2018

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1. By this petition, the petitioners seek quashing of FIR No.268/2016 under Sections 498A/406/34 IPC registered at PS Karawal Nagar, Delhi 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 Standing Counsel for the State on instructions submits that in the above noted FIR 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 Investigating Officer states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Karkardooma Courts on 22nd

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September, 2017. In terms of the settlement marriage between 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 ₹3 lakhs to respondent No.2 out of which she has already received a sum of ₹1.5 lakh and the balance amount of ₹1.5 lakh has been received by her today in Court vide Demand Draft No.287327 drawn on Oriental Bank of Commerce. She states that she has no claim whatsoever remaining against the petitioners. She further states that a minor child Master Lakshay Bakshi born on 5th October, 2010 from the wedlock of petitioner No.1 and respondent No.2 will remain in her care and custody and the petitioner No.1 will not have the custody. He however will have the visiting right as per the terms of settlement arrived at between the parties. 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. 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

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.268/2016 under Sections 498A/406/34 IPC registered at PS Karawal Nagar, Delhi 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.

DECEMBER 07, 2018

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