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

+ W.P.(CRL) 2131/2018

MANU DIXIT & ORS

... Petitioners

Represented by: Mr.Murari Tiwari with Mr.Rahul  
Kumar, Advocates

versus

STATE (NCT OF DELHI) & ANR

... Respondents

Represented by: Mr.Ashok K.Garg, APP for  
Mr.Sanjay Lao, ASC for the State  
Respondent No.2 in person  
SI Ramesh, PS Mundka

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**19.11.2018**

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1. By the present petition the petitioners seek quashing of FIR No.231/2017 under Sections 498-A/377/354/406/34 IPC registered at PS Mundka, New 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 APP for the State appearing for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the six petitioners are the only accused and respondent No.2 the only complainant/victim. He further states that in terms of the last order passed by this Court, inquiry was got conducted from the DTDC courier, however, since the courier was received in January, there

is no tracking report available as their servers auto re-write the data after two months.

3. Respondent No.2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners vide Compromise Deed dated 28<sup>th</sup> March, 2018 annexed as pages 86 to 93 of the present petition. In terms of the settlement divorce by mutual consent between the petitioner No.1 and respondent No.2 has already been granted. In lieu of all her claims of maintenance, istridhan, alimony, etc., out of a total sum of ₹6,10,000/-, the respondent No.2 has already received a sum of ₹4,60,000/- and the balance sum of ₹1,50,000/- has been received by her today in Court through Demand Draft No.004059 dated 21<sup>st</sup> August, 2018 drawn on Axis Bank Ltd., Maharaja Agarsain Marg, Rohini, New Delhi. She states that she has now no claim whatsoever remaining against the petitioners. She further states that from the wedlock one minor daughter namely Prisha was born on 28<sup>th</sup> January, 2016 who would remain in her care and custody and the petitioners would neither have the custody nor the visiting rights. She states that in terms of the settlement, she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the settlement arrived at between the parties.

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 on 28<sup>th</sup> March, 2018. They further state that the demand draft of ₹1,50,000/- handed over to the respondent No.2 is valid till tomorrow, however, if there is any difficulty in the encashment, they will cooperate with the respondent No.2.

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.231/2017 under Sections 498-A/377/354/406/34 IPC registered at PS Mundka, New 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.**

**NOVEMBER 19, 2018**  
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