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

+ **W.P.(CRL) 2199/2018**

UDAY SINGH RATHORE & ANR

..... Petitioner

Represented by: Mr. Balraj and Mr. Manoj
Kumar Shukla, Advocates.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Richa Kapoor, ASC with
Ms. Amita Sachdeva, Advocate
with ASI Hawa Singh, PS
Nihal Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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25.07.2018

Crl.M.A. No. 28439/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 2199/2018 and Crl.M.A. No. 28438/2018

By the present petition the petitioners seek quashing of FIR No. 1205/2015 under Sections 498A/406/34 IPC registered at PS Nihal 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 Additional Standing Counsel for the State on instructions submits that in the above noted FIR the two petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

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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 Counselling Cell, Principal Judge, Tis Hazari Courts on 12th September, copy whereof is annexed as Annexure-P5 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. Respondent No. 2 does not claim any amount whatsoever from the petitioners in lieu of her maintenance, streedhan and alimony etc. Further minor daughter, namely, Sanvi aged 6 years born from the wedlock will remain in care and custody of respondent No. 2 and the petitioners would neither have the custody nor have the visiting rights of the minor daughter. 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 settlements.

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.

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. 1205/2015 under Sections 498A/406/34 IPC registered at PS Nihal Vihar, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 25, 2018
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