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

+ W.P.(CRL) 2252/2018

MAYANK VERMA & ORS

..... Petitioners

Represented by: Mr.Amit Yadav and Mr.Bharat
Kumar Tomar, Advocates

versus

STATE & ANR

..... Respondents

Represented by: Mr.Yash Kotak, Advocate for
Mr.Ashish Aggarwal, ASC for the
State with SI Vijay Pal, PS Dwarka,
Sector-23
Mr.Onkar Roy, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.09.2018

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1. By this petition, the petitioners seek quashing of FIR No.390/2016 under Sections 498A/406/34 IPC registered at PS Dwarka, Sector-23 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 Additional Standing Counsel for the State on instructions submits that in the above noted FIR the five petitioners as impleaded by way of amended memo of parties 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 learned counsel and the Investigating Officer states that she has settled the

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matter with the petitioners before the Mediation Centre, Dwarka Courts on 17th April, 2017. 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 ₹5,00,000/- to respondent No.2 out of which she has already received a sum of ₹4,00,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court vide Demand Draft No.822087 drawn on Punjab National Bank. She further states that from the wedlock, one minor child namely Parth was born who would remain in her care and custody and petitioner No.1 would neither have the custody nor the visiting right. She 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 also 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.390/2016 under Sections 498A/406/34 IPC registered at PS Dwarka, Sector-23 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.

SEPTEMBER 17, 2018

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