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

+ **W.P.(CRL) 2346/2018**

SH. TAJENDER PAL SINGH & ORS.

..... Petitioners

Represented by: Mr. Rajeev Kumar, Advocate
with petitioners in person.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for State with
Ms. Hemlata Rawat, Advocate
with SI Tinku Shokeen, PS
Vikas Puri.
Ms. Shweta Tiwari, Advocate
for respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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08.08.2018

Crl. M.A. No.29527/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 462/2016 under Sections 498A/406/34 IPC registered at PS Vikas Puri, 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 four petitioners are the only accused

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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 Counselling Cell, Tis Hazari Courts on 9th April, 2018, copy whereof is at annexed as Annexure-A to the present petition. 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 ₹15 lakhs to respondent No.2 out of which she has already received a sum of ₹10 lakhs and the balance amount of ₹5 lakhs has been received by her today in Court vide Demand Draft Nos. 492013 and 510190 drawn on State Bank of India, Kanpur and ICICI Bank, Kanpur, dated 31st July, 2018 and 3rd August, 2018 respectively. She further states that the minor daughter Bani born out of the wedlock will remain in her care and custody and the petitioner No.1 will neither have the visiting rights nor the custody rights of the child and 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 and will abide by the terms of settlement.

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

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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. 462/2016 under Sections 498A/406/34 IPC registered at PS Vikas Puri, Delhi and proceedings pursuant thereto are hereby quashed.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 08, 2018
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