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

+ **W.P.(CRL) 2319/2018**

SHRI PRAVEEN GARG & ORS

..... Petitioner

Represented by: **Mr. Anil Kumar Gupta and Ms. Sanjela Gupta, Advocates.**

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Represented by: **Mr. Jamal Akhtar, Advocate for Mr. Rahul Mehra, Standing Counsel with SI Sandeep Singh, PS Roop Nagar. Ms. Nidhi Banga, Advocate for R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.08.2018

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1. By the present petition, the petitioners seek quashing of FIR No.88/2017 under Sections 498A/406/34 IPC registered at PS Roop 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 five petitioners were arrayed as accused, however, charge sheet is likely to be filed only against petitioner Nos. 1, 2 and 3. He further states that the respondent No.2 is the only complainant/victim.

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3. 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 vide the settlement deed dated 14th May, 2018. She states that 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 ₹30 lakhs to respondent No.2 out of which she has already received a sum of ₹20 lakhs and further sum of ₹5 lakhs has been received by her today in Court vide Demand Draft No. 503308 drawn on ICICI Bank dated 3rd August, 2018 and the balance amount of ₹5 lakhs will be paid to her at the time of quashing of FIR No. 793/2017 under Section 354 IPC registered at PS Uttam Nagar. She further states that from the wedlock, a minor son namely Reyansh was born on 27th March, 2015 who will remain in the care and custody of the respondent No.2 and the petitioners would not have either his custody or the visitation rights. She further states that 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 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.

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.88/2017 under Sections 498A/406/34 IPC registered at PS Roop Nagar, Delhi and proceedings pursuant thereto are hereby quashed against all the petitioners.

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.

AUGUST 06, 2018
‘yo’