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

+ **W.P.(CRL) 2474/2018**

VISHAL KUMAR & ORS

..... Petitioners

Represented by: Ms.Saroj Kumar Jha, Advocate

versus

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

Represented by: Ms.Iti Pandey, Advocate for

Ms.Nandita Rao, ASC for the State
and SI Brhampal Singh, PS Malviya
Nagar

Mr.Sanjay K.Shukla, Advocate for R-
2 with R-2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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21.08.2018

Crl.M.A.No.30382/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2474/2018

1. By this petition, the petitioners seek quashing of FIR No.1017/2015 under Sections 498A/406/34 IPC registered at PS Malviya Nagar 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 four petitioners 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 Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Saket Courts on 3rd February, 2018, copy of the settlement is annexed as Annexure P-2 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 ₹7,50,000/- to respondent No.2 besides the sum of ₹1,21,000/- already deposited in her account, out of the said amount of ₹7,50,000/, she has already received a sum of ₹5,00,000/- and the balance amount of ₹2,50,000/- has been received by her today in Court vide Demand Draft No.320052 drawn on Central Bank of India. 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 also undertakes to abide by the terms of settlement.

4. Petitioner Nos.1 to 3 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. Petitioner No.4 is stated to be unwell and is thus not present in Court today. Petitioner No.4 is exempted from

appearing before Court.

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.1017/2015 under Sections 498A/406/34 IPC registered at PS Malviya Nagar and proceedings pursuant thereto are hereby quashed qua all the petitioners.

7. Petitioner Nos.1 to 3 and respondent No.2 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 21, 2018

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