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

+ **W.P.(CRL) 2565/2018**

PARVINDER KUMAR & ORS. Petitioners

Represented by: **Mr.Nasimuddin, Advocate**

versus

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

Represented by: **Ms.Richa Kapoor, ASC for the State
with Ms.Amita Sachdeva, Advocate
and SI Vipin Kumar, PS Kalyan Puri
Mr.Yogesh Kumar, Advocate for R-2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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30.08.2018

Crl.M.A.No.31012/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2565/2018

1. By this petition, the petitioners seek quashing of FIR No.113/2017 under Sections 498A/406/34 IPC registered at PS Kalyan Puri on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the six petitioners are the only accused and 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 the Investigating Officer states that she has settled the matter with the petitioners vide compromise deed dated 10th April, 2018, copy whereof 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 ₹3,75,000/- to respondent No.2 out of which she has already received a sum of ₹2,50,000/- and the balance amount of ₹1,25,000/- has been received by her today in Court vide Demand Draft No.691133 drawn on Punjab National Bank. She states that from the wedlock, a minor son Hitesh was born who will remain in the care and custody of petitioner No.1 and respondent No.2 will neither have the custody nor the visiting rights. 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. 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.113/2017 under Sections 498A/406/34 IPC registered at PS Kalyan Puri 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.

AUGUST 30, 2018

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