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

+ **W.P.(CRL) 2503/2018**

DEEPAK GUPTA & ORS

..... Petitioners

Represented by: **Mr.Girish Gupta and Ms.Saroj Pal,**
Advocates

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondents

Represented by: **Mr.R.S.Kundu, ASC for the State**
with Ms.Suman Saharan, Advocate
and SI Rahul Kumar, PS Shakarpur

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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24.08.2018

Crl.M.A.No.30568/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2503/2018

1. By this petition, the petitioners seek quashing of FIR No.23/2017 under Sections 498A/406/34 IPC registered at PS Shakar Pur 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 accused and Ashok Kumar, father of petitioner No.1 was also arrayed as an accused in the FIR has since passed away. He further states that respondent No.2 is

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the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners before the Lok Adalat on 8th April, 2017 copy whereof is annexed at page 50 of 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 of maintenance, streedhan, alimony etc. of the respondent No.2, petitioner No.1 has to pay a sum of ₹4,00,000/- to respondent No.2 out of which she has already received a sum of ₹2,50,000/- and the balance amount of ₹1,50,000/- has been received by her today in Court in cash. Besides she has also received her items of streedhan i.e. a gold chain, 3 gold rings etc. She further states that she has now 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.

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.23/2017 under Sections 498A/406/34 IPC registered at PS Shakar Pur 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 24, 2018

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