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

+ **W.P.(CRL) 2455/2018**

RAKESH DAS & ORS.

..... Petitioners

Represented by: Ms.Devna Soni, Mr.Shikhar Kumar
and Mr.Ashish Garg, Advocates with
Petitioners in person

versus

STATE & ANR.

..... Respondents

Represented by: Mr.Rahul Mehra, Standing Counsel
for the State with Mr.Jamal Akhtar,
Advocate and SI Jatan Singh, PS
Anand Vihar
Mr.Amar Khera, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **20.08.2018**

CrI.M.A.No.30275/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2455/2018

1. By this petition, the petitioners seek quashing of FIR No.364/2016 under Sections 498A/406/34 IPC registered at PS Anand Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned 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 vide MOU dated 7th July, 2018. Pursuant to the settlement, the statement for first motion for divorce by mutual consent has been recorded between petitioner No.1 and respondent No.2/complainant. In lieu of all her 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 ₹5 lakhs and the balance amount of ₹10 lakhs has been deposited by the petitioners before the learned Family Court. She further states that 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.364/2016 under Sections 498A/406/34 IPC registered at PS Anand Vihar 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 20, 2018

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