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

+ **W.P.(CRL) 2598/2018**

SH. HIMANSHU BAJAJ & ORS Petitioners

Represented by: **Mr.H.S.Dubey and Ms.Sugandha
Bajaj, Advocates**

versus

STATE & ANR Respondents

Represented by: **Ms.Amita Sachdeva, Advocate for
Ms.Richa Kapoor, ASC for the State
with ASI Om Prakash, PS North
Rohini
Mr.Sunil Kumar, Advocate for R-2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.09.2018

CrI.M.A.No.31184/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2598/2018

1. By this petition, the petitioners seek quashing of FIR No.955/2015 under Sections 498A/406/34 IPC registered at PS North Rohini 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 three

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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 the Investigating Officer states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Rohini District Courts on 20th January, 2018 and copy of the settlement has been placed on record 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 ₹3,40,000/- to respondent No.2 out of which she has already received a sum of ₹2,75,000/- and the balance amount of ₹65,000/- has been received by her today in Court vide Pay Order No.857142 drawn on Karur Vysya Bank. She further states that the petitioners have undertaken to return her streedhan articles as mentioned in para 4 of the settlement within two weeks and thus 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. They further state that the streedhan articles of respondent No.2 mentioned in para 4 of the settlement would be handed over within two weeks.

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.955/2015 under Sections 498A/406/34 IPC registered at PS North Rohini 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.

SEPTEMBER 04, 2018

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