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

+ **W.P.(CRL) 2608/2018**

MD. IRFAN & ANR

..... Petitioners

Represented by: **Mr.Inder Singh Shokeen, Advocate**

versus

STATE & ANR

..... Respondents

Represented by: **Ms.Kamna Vohra, ASC for the State
with Ms.Kashish Behl, Advocate for
R-2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.09.2018

CrI.M.A.No.31267/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2608/2018

1. By this petition, the petitioners seek quashing of FIR No.413/2016 under Sections 498A/406/34 IPC registered at PS Dabri 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 five 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 states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 15th May, 2018. Talak has been pronounced between petitioner No.1 and respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan, alimony, mehar, iddat etc. of the respondent No. 2, the petitioner No.1 has to pay a sum of ₹4,50,000/- to respondent No.2 which she has received today in Court vide Manager's Cheque No.035281 drawn on HDFC Bank. She further states that from the wedlock, a minor daughter namely Namra was born who will remain in the care and custody of respondent No.2 and the petitioners will neither have the custody nor the visiting rights of the minor child. 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.413/2016 under Sections 498A/406/34 IPC registered at PS Dabri 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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