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

+ **W.P.(CRL) 1765/2017**

DEEPAK & ORS

..... Petitioners

Represented by: Mr. Rahul Gupta, Advocate
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Represented by: Mr. Sanjay Lao, Additional
Standing Counsel for the State
with Ms. Hemlata Rawat and
Mr. Siddharth Sindhu,
Advocates with SI Karamveer,
PS Narela.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.10.2018

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By the present petition the petitioners seek quashing of FIR No. 516/2012 under Sections 498A/307/34 IPC registered at PS Narela, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the four accused were arrayed as parties, however, Brahm Prakash, father of petitioner No.1 has since passed away, thus the three petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

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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. 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 ₹3.10 lakhs to respondent No.2 which she has already received. She further states that she has no claim whatsoever remaining against the petitioners. She states that from the marriage of petitioner No.1 and respondent No.2 daughter namely Kirti born on 7th January, 2012 will remain with the petitioner No.1 and she would not claim her custody however, she will be entitled to meet the child twice in a month with stay overnight. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

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.

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.

Consequently, FIR No. 516/2012 under Sections 498A/307/34 IPC registered at PS Narela, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 09, 2018
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