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

+ **W.P.(CRL) 1743/2017**

PARASDEEP SINGH AHUJA

..... Petitioner

Represented by: Mr.Rajan Bajaj, Advocate with
petitioner in person.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State with Ms. Jyoti
Babbar, Advocate with SI
Somvir Singh, PS Seemapuri.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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16.07.2018

Crl. M.A. No.11273/2018 (Early hearing)

Application is dismissed as infructuous.

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By the present petition the petitioner seeks quashing of FIR No. 399/2016 under Section 377 IPC registered at PS Seemapuri, 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 submits that the above noted FIR was an off-shoot of a matrimonial dispute between the petitioner and respondent No.2. On instructions from the Investigating

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Officer he submits that in the above noted FIR the petitioner is the only accused and the respondent No.2 is the only complainant/ victim.

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 Petitioner vide Memorandum of Understanding dated 6th January, 2017, copy of which is annexed as Annexure-P2 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 has to pay a sum of ₹3 lakhs to respondent No.2 out of which she has already received a sum of ₹2 lakhs and the balance amount of ₹1 lakh has been received by her today in Court in cash. She further states that she has no claim whatsoever remaining against the petitioner. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and will abide by the terms of settlement.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and undertakes 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. 399/2016 under Section 377 IPC registered at PS Seemapuri, 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.

JULY 16, 2018
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