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

+ **W.P.(CRL) 2671/2018**

MUNI KASHYAP & ORS

..... Petitioners

Represented by: **Mr.Harsh Kumar and Mr.Mohit
Bhandari, Advocates**

versus

STATE (GOVT OF NCT DELHI) & ANR

..... Respondents

Represented by: **Mr.Jamal Akhtar, Advocate for
Mr.Rahul Mehra, Standing Counsel
for the State with SI Om Prakash, PS
Jagat Puri
Mr.Saurabh Jhamb, Advocate for R-2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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07.09.2018

CrI.M.A.No.31599/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2671/2018

1. By this petition, the petitioners seek quashing of FIR No.276/2016 under Sections 498A/406/34 IPC registered at PS Jagat Puri 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 Standing Counsel for the State on instructions submits that in the above noted FIR the three 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 and the Investigating Officer states that she has settled the matter with the petitioners before the Counselling Cell, Family Court Karkardooma on 23rd January, 2018. Copy of the order is annexed as Annexure B 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 ₹4,75,000/- to respondent No.2 out of which she has already received a sum of ₹3,50,000/- and the balance amount of ₹1,25,000/- has been received by her today in Court vide Bankers Cheque No.229902 drawn on State Bank of India. 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.276/2016 under Sections 498A/406/34 IPC registered at PS Jagat Puri 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 07, 2018

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