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

+ **W.P.(CRL) 2695/2018**

SH. MAHINDER MITTAL & ORS.

..... Petitioner

Represented by: Mr. Amit Kumar and Mr
Kumar Saket, Advocates.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
Ms. Jyoti Babbar, Advocate
with SI Vishvendra, PS
Paharganj.
Mr. Hukam Chand, Advocate
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.09.2018

Crl.M.A. No. 31720/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioners seek quashing of FIR No.370/2015 under Sections 498A/406/34 IPC registered at PS Pahar Ganj, Delhi 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 six petitioners are the only accused

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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, Tis Hazari Courts, Delhi on 29th August, 2016, copy whereof is annexed at pages 72 to 76 of the paper book. 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 ₹ 5 lakhs to respondent No.2 out of which she has already received a sum of ₹3.50 lakhs and the balance amount of ₹1.50 lakhs has been received by her today in Court vide Demand Draft No. 010473 drawn on Bank of Baroda dated 10th August, 2018. She states that from the wedlock a minor child, namely, Master Devayanak, who will remain in her care and custody and the petitioners neither have the custody nor the visiting rights. She further states that she has now 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.370/2015 under Sections 498A/406/34 IPC registered at PS Pahar Ganj, Delhi 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 11, 2018
‘yo’