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

+ W.P.(CRL) 2777/2018

SHRAY SHARMA & ORS

..... Petitioners

Represented by: Mr.Aditya, Advocate

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Represented by: Mr.Sanjay Lao, ASC for the State
with Mr.Siddharth Sindhu and SI
Badami Lal, PS Maurya Enclave

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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17.09.2018

CrI.M.A.No.32197/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.2777/2018

1. By this petition, the petitioners seek quashing of FIR No.665/2015 under Sections 498A/406/34 IPC registered at PS Maurya Enclave 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 initially eight accused were arrayed however charge sheet has been filed against petitioner Nos.1 and 2 and petitioner Nos.3 to 8 have been kept in Column No.12 and not summoned by

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the learned Trial Court.

3. 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 before the Delhi Mediation Centre, Rohini District Courts on 11th September, 2015 copy of which is enclosed 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 ₹3,00,000/- to respondent No.2 out of which she has already received a sum of ₹2,00,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court in cash. 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. Petitioner Nos.1 to 5, 7 and 8 are present in Court and are identified by the learned counsel. Petitioner No.6 is not in a position to come to Court as she has to look after a senior citizen at home and also she has been kept in Column No.12 besides the others and not summoned hence her presence is exempted before this Court. Petitioner Nos.1 to 5, 7 and 8 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.665/2015 under Sections 498A/406/34 IPC registered at PS Maurya Enclave and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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 17, 2018

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