

\$~48

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

+ **W.P.(CRL) 2754/2018**

PRAMENDER GUJRAL & ORS

..... Petitioner

Represented by: Mr. B.P. Singh, Ms. Ishita Jain
and Ms. Yamini, Advocates.

versus

THE STATE (GOVT OF NCT OF DELHI) Respondent

Represented by: Mr. Jamal Akhtar, Advocate
for Mr. Rahul Mehra, Standing
Counsel for the State with ASI
Surender, PS Nanak Pur.
Mr. Abhay Kaushik, Advocate
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.09.2018

%

1. By this petition, the petitioners seek quashing of FIR No. 164 /2017 under Sections 498A/406/34 IPC registered at PS CWC Nanak Pura, 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 proxy counsel for learned Standing Counsel for the State on instructions submits that in the above noted FIR the five petitioners are the only accused 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

W.P.(CRL) 2754/2018

page 1 of 3

matter with the petitioners vide the Memorandum of Understanding dated 8th May, 2018 copy whereof is annexed at pages 43 to 47 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 ₹4 lakhs to respondent No.2 out of which she has already received a sum of ₹2 lakhs and the balance amount of ₹2 lakhs has been received by her today in Court vide Demand Draft No. 118855 drawn on Punjab National Bank dated 31st August, 2018. 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. 164 /2017 under Sections 498A/406/34 IPC registered at PS CWC Nanak Pura, 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 14, 2018
‘yo’