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

+ **W.P.(CRL) 3246/2018**

SH. VISHAL & ORS.

..... Petitioners

Represented by: Mr. Vineet Kumar and Mr. Paritosh,
Advocates with petitioners in person.

versus

STATE & ANR.

..... Respondents

Represented by: Ms. Richa Kapoor, Additional
Standing Counsel for State with ASI
Jagpal Singh, PS Sonia Vihar.
Mr. Manish Bhadauria and Ms.
Priyanka Bhadauria, Advocates for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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25.10.2018

Crl. M.A. No. 34805/2018 (Exemption)

Allowed, subject to all just exceptions.

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By this petition, petitioners seek quashing of FIR No.29/2017 under Sections 498A/328/506/34 IPC registered at PS Sonia Vihar 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 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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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, North East District on 26th April, 2018, copy whereof is at pages 35-36 of the paper book. In terms of the settlement, marriage between 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 ₹10 lakhs to respondent No.2 out of which she has already received a sum of ₹7 lakhs and the balance amount of ₹3 lakh has been received by her today in Court vide Demand Draft No.507281 dated 19th September, 2018 drawn on ICICI Bank, Connaught Place, New Delhi. She states that she has now no claims whatsoever against the petitioners. She further states that the minor child Khanak Verma born out of the wedlock of petitioner No.1 and respondent No.2 on 24th March, 2017 will remain in her care and custody and the petitioners will neither have the custody nor the visiting rights. In terms of the settlement she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement arrived at between the parties.

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.

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.29/2017 under Sections 498A/328/506/34 IPC registered at PS Sonia Vihar 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.

OCTOBER 25, 2018
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