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

+ **W.P.(CRL) 3141/2018**

SH.YOGESH KUMAR & ANR.

..... Petitioner

Represented by: Mr. Vikas Dahiya, Advocate.

versus

STATE

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with Ms.
Hemlata Rawat, Advocate with ASI
Balu Ram, PS Bindapur.
Mr. Sandeep Lochab, Advocate for R-
2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.10.2018

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CrI.M.A. No. 34125/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioners seek quashing of FIR No. 278 /2016 under Sections 498A/406/34 IPC registered at PS Bindapur 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 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 Mediation Centre, Dwarka Courts on 8th November, 2016 copy whereof is annexed as Annexure-3 to the present petition. 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. Respondent No. 2 has not claimed any maintenance, streedhan and alimony etc. from the petitioners and does not wish to claim the same in future. She further states that the minor son, Vishu, born from the wedlock on 14th December, 2014 will remain in her care and custody and the petitioners will neither have the custody nor the visiting rights. She states that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She further undertakes to abide by the terms of settlement arrived at between the parties.

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.

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. 278 /2016 under Sections 498A/406/34 IPC registered at PS Bindapur 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.

OCTOBER 11, 2018
‘yo’