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

+ **W.P.(CRL) 2521/2017**

ANOOP CHAUHAN

..... Petitioner

Represented by: **Mr. Kumar Ankur, Adv.**

versus

STATE & ANR

..... Respondent

Represented by: **Mr. Ashish Aggarwal, ASC**
with **Mr. Piyush Singhal, Adv.**
with **SI Sunil Chandra PS Moti**
Nagar.
Mr. Chayan Sarkar, Adv. for
R-2 with R-2 in person.
R-3&4 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.04.2018

CrI.M.A. 6110/2018

By this application petitioner seeks to place on record amended memo of parties. The same is taken on record.

Application is disposed of.

W.P.(CRL) 2521/2017

By the present petition the petitioner and respondent No.3 and 4 seek quashing of FIR No. 698/2015 under Sections 498A/406/34 IPC registered at PS Moti Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner and respondent No.3 and 4 are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that in the FIR inadvertently she mentioned the name of father of Anoop Chauhan/ the petitioner herein as Rajinder Singh Chauhan though in fact it is Om Prakash Chauhan. She further states that she has settled the matter with the petitioners vide the agreement dated 15th December, 2015. Pursuant to the settlement divorce by mutual consent has been granted between the petitioner and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is to receive a total sum of ₹10 lakhs out of she has already received a sum of ₹7 lakhs and the balance amount of ₹3 lakhs has been received by her today in Court by way of cheque No. '000018' dated 12th April, 2018 drawn on Kotak Mahindra Bank. She further states that she has now no claim whatsoever remaining against the petitioner and the respondent No.3 and 4 and she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She further undertakes to abide by the terms of settlement arrived at between the parties.

Petitioner, respondent No.3 and 4 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 the settlement.

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. 698/2015 under Sections 498A/406/34 IPC registered at PS Moti Nagar, Delhi and proceedings pursuant thereto are hereby quashed qua the petitioner, respondent No.3 and 4.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

APRIL 12, 2018
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