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

+ **CRL.M.C. 5709/2018**

MOHIT KUMAR & ORS

..... Petitioner

Represented by: Mr. Arun Sheoran, Mr. Sushil Kumar,
Advs.

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP with
SI Anand Pratap Singh PS Madhu
Vihar.
Mr. Pramendra Kumar, Mr. B.
Karuna Karan, Advs. for R-2 to 4
with R-2 to 4 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.12.2018

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CrI.M.A. 35999/2018

Exemption allowed subject to just exceptions.

CRL.M.C. 5709/2018

By the present petition the petitioners seek quashing of FIR No. 370/2015 under Sections 323/341/354/354B/506/34 IPC registered at PS Madhu Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR charge-sheet has been filed against the

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five petitioners and respondent No.2 is the only complainant/ victim and respondent No.3 and 4, her parents, the other victim. She states that the above-noted FIR is an off-shoot of a matrimonial dispute between the petitioner No.1 and respondent No.2 for which FIR No. 867/2015 under Sections 498A/406/337/34 IPC was registered at PS Madhu Vihar.

Respondents No.2, 3 and 4 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that the matrimonial dispute between the petitioner No.1 and respondent No.2 has been settled before the Delhi Mediation Centre, Karkardooma Courts on 22nd May, 2018 copy whereof is annexed at pages 44 to 48 of the paper book. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2 and respondent No.2 has now no claim whatsoever against the petitioners. They do not wish to pursue the abovementioned FIR and the proceedings pursuant thereto and undertake 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 the parties.

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. 370/2015 under Sections 323/341/354/354B/506/34 IPC registered at PS Madhu Vihar, Delhi 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.

DECEMBER 14, 2018
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