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

\+ W.P.(CRL) 2667/2017

HEMLATA & ORS ..... Petitioner

Represented by: Mr. Anoop Singh Saroha, Ms. Shilpee, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Piyush Singhal, Adv. for Mr. Ashish Aggarwal, ASC with SI Bijender Kumar PS North Rohini.
Mr. Deepak Yadav, Adv. for R-2 with R-2 in person.

\+ W.P.(CRL) 2668/2017

NARESH & ORS ..... Petitioner

Represented by: Mr. Anoop Singh Saroha, Ms. Shilpee, Advs.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with Mr. Sidharth Sindhu, Adv. with SI Bijender Kumar PS North Rohini.
Mr. Deepak Yadav, Adv. for R-2 with R-2 in person.

Signature Not Verified
Digitally Signed
By:AMULYA

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CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **18.01.2018**

Crl.M.A. 15307/2017 in W.P.(CRL) 2667/2017
Crl.M.A. 15310/2017 in W.P.(CRL) 2668/2017

Exemptions allowed subject to just exceptions.

W.P.(CRL) 2667/2017 and W.P.(CRL) 2668/2017

By these two petitions the petitioners seek quashing of FIR No. 126/2017 under Sections 448/380/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2667/2017 and FIR No. 227/2017 under Sections 498A/406/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2668/2017 on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that two FIRs are a result of the matrimonial dispute between Naresh the petitioner No.1 in W.P.(CRL) 2668/2017 and Seema his wife who is respondent No.2 in both the petitions and has lodged the two FIRs noted above.

Respondent No. 2/ Seema is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioners vide MOU dated 15th May, 2017 whereby all disputes between her and her husband and in-laws have been settled. After the settlement divorce by mutual consent has been granted between Naresh and Seema. In lieu of all her claims of maintenance, istridhan, alimony etc., Seema is to receive a sum of ₹16 lakhs out of which ₹11 lakhs have already been received by her and the balance amount of ₹5 lakhs has been received

by her today in Court by way of demand frat No. '000131' dated 17th January, 2018 drawn on HDFC Bank. She states that the two children namely Puru and Nishita were born from the wedlock. It has been agreed between the parties that the male child Puru will stay in the care and custody of Naresh whereas the girl child Nishita will stay in the care and custody of Seema. She further states that she would abide by the terms of settlement arrived at between the parties copy whereof is annexed at pages 47 to 53 in W.P.(CRL) 2668/2017. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2. They further undertake to abide by the terms of settlement arrived at between the parties on 15th May, 2017.

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. 126/2017 under Sections 448/380/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2667/2017 and FIR No. 227/2017 under Sections 498A/406/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2668/2017 and proceedings pursuant thereto are hereby quashed.

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

Petition are disposed of. Order dasti.

Mukta Gupta

MUKTA GUPTA, J.

JANUARY 18, 2018
'ga'

P-1 Shahid

P-2 Expired

P-3 Chhatpal

P-4 Hemlata

P-5 Chhaya Bharti
Identified to all
the Petitioners
Advocate
18/1/2018
D-10578/09

R-2 Seema.
I have identified the complainant
namely Seema
BS
SI Brijender Kr.
D-5781
PS North Rohini

I identified R-2
Deepak Yadav
D/12952/10

— Matter listed on office note as FIR No. 227/17 wrongly typed instead of 222/17. (in part 'B').

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

\+ W.P.(CRL) 2668/2017

NARESH & ORS ..... Petitioner

Represented by: Mr. Anoop Singh Saroha, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP for
Mr. Sanjay Lao, ASC for State.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **31.01.2018**

The matter has been listed on office note for correction of the typographical error which has crept in the order dated 18th January, 2018.

In the first and penultimate paragraph of the order dated 18th January, 2018 FIR No. 227/2017 under Sections 498A/406/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2668/2017 be read as '*FIR No. 222/2017 under Sections 498A/406/34 IPC registered at PS North Rohini, Delhi in W.P.(CRL) 2668/2017*'.

Mukta Gupta

MUKTA GUPTA, J.

JANUARY 31, 2018
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