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

+ W.P.(CRL) 2817/2017

VINOD BENIWAL & ORS

... Petitioners

Represented by: Ms.Madhuri Dhingra with
Mr.Deepak, Advocates

versus

STATE & ANR

.... Respondents

Represented by: Ms.Meenakshi Chauhan, APP
for Ms.Richa Kapoor, ASC for
the State with ASI Ranvir
Singh, PS CWC, Nanakpura

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.02.2018

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By the present petition the petitioners seek quashing of FIR No.133/2015 under Sections 498A/406/34 IPC registered at PS Nanakpura, New 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 appearing for learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR charge-sheet was filed against the three petitioners as accused and the other five accused were kept only in Column No.12 and till date, they have not been summoned. Thus, at present, three petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners at the Counselling Cell, Patiala House Courts copy whereof is annexed as Annexure-P2 to the present petition. In terms of the settlement, divorce by mutual consent between the petitioner No.1 and respondent No.2 has already been granted. In lieu of all her claims of maintenance, istridhan, alimony, etc., the respondent No.2 was to receive a sum of ₹4,50,000/- out of which she has already received a sum of ₹3 lakh and the balance sum of ₹1,50,000/- has been handed over in Court today vide demand draft No.872736 dated 17th February, 2018 drawn on Syndicate Bank, Khan Market, New Delhi. She has now no claim whatsoever remaining against the petitioners. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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.

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.133/2015 under Sections 498A/406/34 IPC registered at PS Nanakpura, New Delhi and proceedings pursuant thereto are
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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.

FEBRUARY 21, 2018
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