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

+ **W.P.(CRL) 2822/2017**

MR ANISH RAWAT

..... Petitioner

Represented by: Ms. Deepti Kathpalia,
Advocate.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
Ms. Jyoti Babbar, Advocate
with Insp. Narender Kaur, PS
C.A.W Cell.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
27.04.2018

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Crl.M.A. No. 7942/2018

Amended memo of parties is taken on record.

Application is disposed of.

W.P.(CRL) 2822/2017

By the present petition the petitioner seeks quashing of FIR No. 17/2015 under Sections 498A/406/34 IPC registered at PS C.A.W Nanak Pura, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the three petitioners were named, however, charge sheet has been filed only against petitioner No. 1 and the

W.P.(CRL) 2822/2017

page 1 of 3

petitioner Nos. 2 and 3 were kept in column No. 12 and till date they have not been summoned by the learned Trial Court and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the petitioners vide the Memorandum of Understanding dated 16th December, 2016 copy whereof is annexed as Annexure-D of the paper book. In terms of the settlement marriage between the petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹5 lakhs to respondent No.2 out of which she has already received a sum of ₹4 lakhs and the balance amount of ₹1 lakhs has been received by her today in Court vide Demand Draft No. 854492 drawn on State Bank of India. She further states that she has no claim whatsoever remaining against the petitioners. In terms of the settlement she does not want to pursue the abovementioned 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 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. 17/2015 under Sections 498A/406/34 IPC registered at PS C.A.W Nanak Pura, 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.

APRIL 27, 2018
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