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

+ **W.P.(CRL) 3105/2017**

MANGE RAM SHARMA & ORS

..... Petitioner

Represented by: Mr. Arvind Vashistha,
Advocate.

versus

STATE OF NCT OF DELHI & ORS.

..... Respondent

Represented by: Mr. R.S. Kundu, ASC for the
State with Ms. Suman Saharan
and Mr. Bhagat Singh,
Advocates with SI Vijay Singh,
PS Prashant Vihar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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03.05.2018

Crl.M.A. No. 18251/2017 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 687/2014 under Sections 498A/406/34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, registered at PS Prashant 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 Additional Standing Counsel for the State on instructions submits that in the above noted FIR petitioner No. 1 to 4 that is Mange Ram

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Sharma, Anju Sharma, Laxmi and Suresh Kumar besides respondent No. 3 Sanjeev Sharma, the husband of the complainant were impleaded as accused, however, after investigation charge sheet was filed only against petitioner No. 1, Mange Ram Sharma, petitioner No. 3 Laxmi and respondent No. 3 Sanjeev Sharma. Anju Sharma and Suresh Kumar petitioner Nos. 2 and 4 respectively were kept in column 12 and not summoned by the learned Trial Court.

Petitioner No. 1 and 2 are present in Court. Petitioner No. 4 the husband of petitioner No. 3 is posted at Kochi, Kerala and thus petitioner Nos. 3 and 4 could not appear in Court. Petitioner Nos. 3 and 4 are thus exempted from appearing in the Court.

Respondent No. 2 who is present in Court and is identified by the learned counsel states that during the course of proceedings under Section 9 of the Hindu Marriage Act she has settled the matter with the husband, respondent No. 3 herein vide the settlement deed dated 18th November, 2015 copy whereof is at page 207 to 209 of the paper book exhibited as Ex. C-1 in the matrimonial proceedings. In terms of the settlement respondent No. 2 along with respondent No. 3, her husband, started living separately away from the matrimonial home along with their two children and is living peacefully and happily since March, 2016 without any interference from the petitioners and from her parents as well and she will abide by the terms of settlement arrived at between the parties and does not want to pursue the abovementioned FIR and the proceedings pursuant thereto against any of the accused.

Petitioner Nos. 1 and 2 and respondent No. 3 who are present in Court
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and are identified by their respective 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. 687/2014 under Sections 498A/406/34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, registered at PS Prashant Vihar, Delhi and proceedings pursuant thereto are hereby quashed against all accused.

Petitioner Nos. 1 and 2 and respondent Nos. 2 and 3 who have been identified by their respective counsels have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 03, 2018
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