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

+ W.P.(CRL) 3654/2018

DALIP SINGH & ORS.

..... Petitioners

Represented by: Mr. Mahee Arora and Mr. Tehzib,
Advocates with petitioner Nos. 1 to 6
in person.

versus

STATE & ANR.

..... Respondents

Represented by: Mr. Rajesh Mahajan, Additional
Standing Counsel for State with ASI
Kamal, PS Mahendra Park.
Mr. Ajay Sharma, Advocate for
respondent No.2 with respondent
No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.12.2018

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By the present petition, petitioners seek quashing of FIR No. 599/2016 under Sections 498A/406/34 IPC registered at PS Mahendra Park, 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 seven petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the Petitioners terms whereof are reflected in the statements

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recorded for divorce by mutual consent. 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 ₹5.70 lakhs to respondent No.2 out of which she has already received a sum of ₹5 lakhs and the balance amount of ₹70,000/- has been received by her today in Court in cash. 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 and will abide by the terms of settlement arrived at between the parties including that the custody of the two children born from the wedlock would remain with the petitioner No.1.

Petitioner Nos. 1 to 6 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. Petitioner No.7 is unwell and living out of Delhi and is thus exempted from appearing before this Court.

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. 599/2016 under Sections 498A/406/34 IPC registered at PS Mahendra Park, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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 03, 2018
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