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

+ **W.P.(CRL) 3634/2018**

SORABH BHASIN & ORS.

..... Petitioner

Represented by: Mr. Sahil Munjal, Mr. Aditya Dogra,
Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Amita Sachdeva, Adv. for Ms.
Richa Kapoor, ASC with SI Sandeep
Kumar PS Maurya Enclave.
Mr. Abhishek Yadav, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.12.2018

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CrI.M.A. 48398/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 113/2016 under Sections 406/498A/34 IPC registered at PS Maurya Enclave, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners are the only accused and respondent No.2 the only complainant/ victim.

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Respondent No. 2 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 settlement deed dated 13th August, 2018. Divorce by mutual consent has already been granted between petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is to receive a total sum of ₹11,50,000/- out of which she has already received ₹8 lakhs and the balance amount of ₹3,50,000/- has been received by her today in Court by way of demand draft No. '938863' drawn on RBL Bank. She states that she has now no claim against the petitioners. She further states that minor child Raghunath Bhasin born on 18th April, 2013 from the wedlock of petitioner No.1 and respondent No.2 would remain in her care and custody and the petitioner No.1 would not have his custody. The petitioners would only have the visiting rights of the child as agreed to in Clause 6 of the settlement agreement. She states that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto and undertakes to abide by the terms of settlement arrived at between the parties.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertakes 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. 113/2016 under Sections 406/498A/34 IPC registered at PS Maurya Enclave, 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.

DECEMBER 07, 2018
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