

\$~39

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

+ **W.P.(CRL) 3475/2017**

NITIN KUMAR & ORS

... Petitioners

Represented by: **Mr.H.S.Chaudhary, Advocate**

versus

THE STATE GOVT OF NCT OF DELHI & ANR ... Respondents

Represented by: **Mr.Rajesh Mahajan, ASC for
the State with Ms.Jyoti Babbar,
Advocate
SI Ravinder, PS Palam Village
Ms.Geeta Gautam, Advocate
for respondent No.2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
22.02.2018

%

By this petition the petitioners seek quashing of FIR No.186/2016 under Sections 498A/406/34 IPC registered at PS Palam Village, 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 from the Investigating Officer, submits that in the above noted FIR, 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 learned
W.P.(CRL) 3475/2017

Page 1 of 3

counsel and the Investigating Officer. She states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 6th February, 2017 copy of which order is annexed as Annexure B 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 an amount of ₹16 lakh out of which she has already received ₹14 lakh and the balance amount of ₹2 lakh has been received by her today in Court by way of a Bankers Cheque numbering 510727 drawn on State Bank of India, Green Park, New Delhi and she has now no claim whatsoever remaining against the petitioners. She further states that the minor child Hardik born from the wedlock of petitioner No.1 and respondent No.2 would remain in her care and custody and the petitioner will have no visiting rights. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of the settlement arrived at before the Mediation Centre, Dwarka on 6th February, 2017.

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 dated 6th February, 2017.

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, 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 *W.P.(CRL) 3475/2017*

FIR in question.

Consequently, FIR No.186/2016 under Sections 498A/406/34 IPC registered at PS Palam Village, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

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 22, 2018

‘rk’