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

+ W.P.(CRL) 3354/2017

PARMANAND & ORS

..... Petitioner

Represented by: Mr. Prakash Priyadanshi, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Jyoti Babbar, proxy Adv.
for Mr. Rajesh Mahajan, ASC
with SI Samrat Khatiyani, PS
Harsh Vihar.
Mr. N.S. Bhati, Adv. for
R-2&3 with R-2&3 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

31.01.2018

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Amended memo of parties is handed-over in Court which is taken on record.

By the present petition the petitioners seek quashing of FIR No. 120/2017 under Sections 406 IPC and Section 4 of the Dowry Prohibition Act registered at PS Harsh Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned proxy counsel for the learned Additional Standing Counsel submits that in the above-noted FIR the 9 petitioners are the only accused and respondent No.2 the complainant and respondent No.3 who is the daughter of respondent No.2 the victim.

Respondent No. 2 and 3 are present in Court and are identified by the learned counsel and the Investigating Officer. They state that marriage of respondent No.3 was fixed with petitioner No.1 for which engagement ceremony etc. were performed, however due to dowry demand the petitioner's family broke the engagement. The parties have now settled the matter vide settlement dated 7th November, 2017 copy whereof has been placed on record as Annexure P2 to the present petition. Respondent No.2 and 3 have returned the jewellery articles given by the petitioners and their jewellery articles have been returned by the petitioners also. They further state that ₹4,30,000/- has also been received from the petitioners in lieu of cash given and amount spent and now they do not have any claim whatsoever against the petitioners. Respondent No.2 and 3 state that they will abide by the terms of settlement arrived at between the parties and do not wish to pursue the above-noted 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 3 and state that they have no claim whatsoever against the two of them and will 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. 120/2017 under Sections 406 IPC and Section 4 of the Dowry Prohibition Act registered at PS Harsh Vihar, 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.

JANUARY 31, 2018
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