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

+ W.P.(CRL) 3479/2017

DIWAKAR CHAUDHARY

@ DIWAKAR VERMA & ORS.

... Petitioners

Represented by: Mr.Lokendra Singh, Advocate

versus

STATE & ANR.

... Respondents

Represented by: Mr.Sanjay Lao, ASC for the
State with SI Jaichand, PS
Mukherjee Nagar
Mr.Subhash Chand, Advocate
for respondent No.2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
22.02.2018

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By the present petition the petitioners seek quashing of FIR No. 662/2016 under Sections 498A/406/34 IPC registered at PS Mukherjee Nagar, 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 Investigating Officer submits that in the above-noted FIR five petitioners are the only accused against whom charge-sheet has been filed and respondent No.2 the only complainant/ victim.

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 terms whereof have been recorded in the order dated 31st October, 2017 passed by the Principal Judge, Family Courts, District Rohini while granting divorce by mutual consent to the petitioner No.1 and respondent No.2 copy whereof is placed on record at pages 89 to 92 of the paper book. She further states that from the wedlock of petitioner No.1 and respondent No.2, a child Viraj was born who will live in her care and custody and the petitioners would have no visiting rights. Respondent No.2 states that she now has no claim whatsoever regarding maintenance, alimony, etc. against the petitioners. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and would abide by the terms noted in the order dated 31st October, 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 as noted in the order dated 31st October, 2017. They further undertake that they will not interfere in the future life of either the respondent No.2 or the child Viraj born from the wedlock.

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. 662/2016 under Sections 498A/406/34 IPC registered at PS Mukherjee Nagar, 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.

FEBRUARY 22, 2018
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