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

+ **W.P.(CRL) 3524/2017**

SUMANT SAHNI & ORS

..... Petitioners

Represented by: Ms. Perna Mehta, Advocate
with petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Rajesh Mahajan,
Additional Standing Counsel
for State, Ms. Jyoti Babbar,
Advocate with SI Baljor Singh,
PS Punjabi Bagh.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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02.05.2018

Crl. M.A. No. 4397/2018 (Exemption)

Allowed, subject to all just exceptions.

W.P.(CRL) 3524/2017 and Crl. M.A. No. 4396/2018 (directions)

Amended memo of parties is taken on record.

By the present petition, petitioners seek quashing of FIR No.52/2012 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh, 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, as per the amended memo of parties, are the only accused and the respondent No.2 is

W.P.(CRL) 3524/2017

Page 1 of 3

the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the Petitioners before the learned Metropolitan Magistrate on 1st June, 2017 when a joint statement of the petitioner No. 1 and respondent No. 2 was recorded. 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 ₹22 lakhs and a gold ring to respondent No.2 out of which she has already received a sum of ₹16 lakhs and the gold ring and the balance amount of ₹6 lakhs has been received by her today in Court vide Pay Order No.011377 dated 27th April, 2018 drawn on Standard Chartered, Bahadurshah Zafar Marg, New Delhi. 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.

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 arrived at between the parties before the learned Metropolitan Magistrate on 1st June, 2017. They also state that all complaints filed by them or on their behalf against respondent No.2 or her family members have since been withdrawn.

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.52/2012 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh, Delhi and proceedings pursuant thereto are hereby quashed. Since a fresh Pay Order has been handed over to respondent No. 2 today in Court, learned Trial Court is directed to release the demand draft for a sum of ₹6 lakhs lying before it, which is now not valid, to the petitioners.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition and application are disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 02, 2018

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