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

+ **W.P.(CRL) 3547/2017**

RINKU & ORS.

..... Petitioner

Represented by: Mr. Hitendar Mahalwal,
Advocate.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Iti pandey, Advocate for
Ms. Nandita Rao, ASC with
ASI Nimmo, PS Uttam Nagar.
Ms. Reena Singh, Advocate for
R-2.
Mr. Amit Kumar, Advocate for
R-3 and R-4.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.05.2018

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By the present petition the petitioners seek quashing of FIR No. 1088/2015 under Sections 498A/406/34 IPC registered at PS Uttam 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 submits that on the last date it was pointed out that besides the six petitioners there were two other accused, namely, Madhavi@Madho and Meenakshi who were then arrayed as respondent Nos. 3 and 4 and have been served and are present in Court along with the learned counsel. Thus the six

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petitioners and respondent Nos. 3 and 4 are the only accused and respondent No. 2 is the only complainant/victim in the above noted FIR.

Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the petitioners and the respondent Nos. 3 and 4 before the Counselling Cell, Family Court West District on 22nd January, 2016. 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 ₹9 lakhs to respondent No.2 out of which she has already received a sum of ₹5 lakhs and the balance amount of ₹4 lakhs has been received by her today in Court vide Demand Draft No. 130394 drawn on Punjab National Bank. 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 arrived at between the parties.

Petitioner Nos. 1 to 6 and respondent Nos. 3 and 4 who are present in Court and are identified by their respective counsels affirm the statement of respondent No.2 and undertake 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

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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. 1088/2015 under Sections 498A/406/34 IPC registered at PS Uttam Nagar, 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.

MAY 03, 2018
'yo'