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

+ **W.P.(CRL) 3789/2018**

ANKIT MITTAL & ORS

..... Petitioners

Represented by: **Mr.R.S.Goswami and Mr.Sahil
Munjal, Advocates**

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: **Ms.Amita Sachdeva, Advocate for
Ms.Richa Kapoor, ASC for the State
and SI Ravi Yadav, PS K.M.Pur
Mr.Narendra Kumar Sharma,
Advocate for the complainant**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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14.12.2018

Crl.M.A.No.49641/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.3789/2018

1. By this petition, the petitioners seek quashing of FIR No.713/2015 under Sections 498A/406/509/34 IPC registered at PS Kotla Mubarak Pur, 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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2. Learned proxy counsel for learned Standing Counsel for the State on instructions submits that in the above noted FIR the three petitioners are the only accused and the respondent No.2 is the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before Mediation Centre, Saket Courts on 5th June, 2018 pursuant where to 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 ₹1,59,12,500/- to respondent No.2 out of which ₹75,00,000/- have been deposited in the name of the minor daughter Vanshika born from the wedlock of the petitioner No.1 and respondent No.2. She further states that the petitioners will have no right of custody or visitation rights in relation to the minor daughter Vanshika who was born on 22nd May, 2013 and respondent No.2 would be the sole guardian. 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 undertakes to abide by the terms of settlement.

4. 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 on 5th June, 2018 before the Mediation Centre, Saket Courts copy whereof is annexed as Annexure P-2 to the present petition.

5. 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.

6. Consequently, FIR No.713/2015 under Sections 498A/406/509/34 IPC registered at PS Kotla Mubarak Pur, Delhi and proceedings pursuant thereto are hereby quashed.

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

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 14, 2018

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