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

+ W.P.(CRL) 3889/2018

RAVI BHARGAVA & ORS. Petitioners

Represented by: Mr.Sanjay Kathuria, Advocate

versus

STATE & ANR. Respondents

Represented by: Mr.R.S.Kundu, ASC for Ms.Kamna
Vohra, ASC for the State with ASI
Khem Chand, PS Gandhi Nagar

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.12.2018

CrI.M.A.No.50209/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.3889/2018

1. By this petition, the petitioners seek quashing of FIR No.113/2011 under Sections 498A/406/34 IPC registered at PS Gandhi Nagar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR though five accused were charge sheeted however two of them have been discharged and charge for the offence noted above has been framed only against the petitioners. Hence the three petitioners are the only accused and the respondent No.2 is the only

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complainant/victim.

3. 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 Delhi Mediation Centre, Karkardooma Courts on 7th July, 2015 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 ₹6,85,000/- to respondent No.2 out of which she has already received a sum of ₹4,85,000/- and the balance amount of ₹2,00,000/- has been received by her today in Court vide Demand Draft No.194008 drawn on DCB Bank. From the wedlock of petitioner No.1 and respondent No.2 a minor baby girl namely Sneha was born who would remain in the care and custody of petitioners and the respondent No.2 would neither have custody nor the visitation rights. 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

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.113/2011 under Sections 498A/406/34 IPC registered at PS Gandhi Nagar 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 19, 2018

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