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

+ **W.P.(CRL) 3831/2018**

**NITIN KUMAR & ORS.**

..... Petitioner

Represented by: Mr. Saurabh Jhamb, Mr. Sanjeev Kr.  
Tomar, Advs.

versus

**STATE & ANR.**

..... Respondent

Represented by: Mr. Sanjay Lao, ASC with SI Bansilal PS Mehrauli.  
Mr. Vinod Kr., Adv. with R-2 with  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**17.12.2018**

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By the present petition the petitioners seek quashing of FIR No. 1731/2016 under Sections 498A/406/34 IPC registered at PS mehrauli, 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 though in FIR besides the five petitioners two other persons were named as accused, however during investigation no role attributed to them have surfaced and thus charge-sheet will be filed only against the five petitioners and respondent No.2 is the only complainant/ victim.

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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 vide the memorandum of understanding dated 19<sup>th</sup> July, 2017 annexed to the petition as Annexure B. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is to receive a total sum of ₹5,10,000/- which she has already received and she has now no claim whatsoever against the petitioners. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement arrived at between the parties.

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.

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.

Without commenting on the validity of the Talaq pronounced, FIR No. 1731/2016 under Sections 498A/406/34 IPC registered at PS mehrauli, 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.**

**DECEMBER 17, 2018**  
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