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

+ W.P.(CRL) 3860/2018

NIKHIL KUMAR RAHI @ NIKHIL KUMAR
& ORS

..... Petitioners

Represented by: Mr.Akhilesh Kumar, Advocate

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Ms.Iti Pandey, Advocate for
Ms.Nandita Rao, ASC for the State
with ASI Dhyan Singh, PS CAW
Cell, Nanak Pura
Mr.B.Pandey and Ms.Priyanka
Verma, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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19.12.2018

CrI.M.A.No.50116/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.3860/2018

1. By this petition, the petitioners seek quashing of FIR No.10/2015 under Sections 498A/406/34 IPC registered at PS CAW Nanakpura on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR seven

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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 the Mediation Centre, Saket Courts on 9th December, 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 ₹11,50,000/- to respondent No.2 out of which she has already received a sum of ₹9,50,000/- and the balance amount of ₹2,00,000/- has been received by her today in Court vide Demand Draft No.865292 drawn on State Bank of India. 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. Petitioner Nos.1 to 4, 6 and 7 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. Petitioner No.5 is not present as she has a specially abled child to look after and hence is exempted from appearing before this Court.

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.10/2015 under Sections 498A/406/34 IPC registered at PS CAW Nanakpura and proceedings pursuant thereto are hereby quashed qua all petitioners.

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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