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

+ W.P.(CRL) 3848/2018

SUNNY & ORS

..... Petitioners

Represented by: Mr.Manoj Kumar Sharma, Mr.
Purshottam Saharawat, Advocates

versus

STATE OF NCT DELHI & ANR

..... Respondents

Represented by: Mr.Ranbir Singh Kundu, ASS for the
State with Ms.Suman Saharan and
Mr.Ravinder Kumar, Advocates and
SI Naresh Kumar, PS Nangloi

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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18.12.2018

CrI.M.A.No.50063/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.3848/2018 & CrI.M.A.No.50064/2018

1. By this petition, the petitioners seek quashing of FIR No.130/2018 under Sections 498A/406/34 IPC registered at PS Nangloi, Delhi 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 the four petitioners are the only accused and the respondent No.2 is the only complainant/victim.

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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, Tis Hazari Courts on 3rd August, 2017 pursuant where to statement for first motion for divorce by mutual consent has been recorded between petitioner No.1 and respondent No.2. She states that 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 ₹1,80,000/- to respondent No.2 out of which she has already received a sum of ₹1,20,000/- and the balance amount of ₹60,000/- will be handed over to her at the time of recording of statement for second motion for divorce by mutual consent. 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.130/2018 under Sections 498A/406/34 IPC registered at PS Nangloi, Delhi and proceedings pursuant thereto are
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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 18, 2018

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