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

+ **W.P.(CRL) 3902/2018**

PRTYAKSH PANWAR & ORS. Petitioners

Represented by: Ms.Smriti Sinha and
Ms.Harimohana.N, Advocates

versus

STATE & ANR. Respondents

Represented by: Ms.Kamna Vohra, ASC for the State
with SI Shivani, PS Ashok Vihar
Mr.Aman Leekha, Advocate for R-2

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
20.12.2018

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CrI.M.A.No.50286/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.3902/2018 & CrI.M.A.No.50285/2018

1. By this petition, the petitioners seek quashing of FIR No.273/2016 under Sections 498A/406/34 IPC registered at PS Ashok Vihar, 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 three 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 learned counsel states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Rohini Courts on 26th December, 2017 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 ₹25,00,000/- to respondent No.2 out of which she has already received a sum of ₹13,00,000/- and the balance amount of ₹7,00,000/- has been received by her today in Court vide Demand Draft No.199833 drawn on The Hongkong and Shanghai Banking Corporation Ltd. She states that she is entitled to receive a further sum of ₹5,00,000/- in October, 2019 from the petitioners. She further states that from the wedlock of petitioner No.1 and respondent No.2, a minor daughter namely Nievedita Panwar was born on 1st January, 2011 who would stay in the care and custody of respondent No.2 and the petitioners would have the visiting rights as decided between the parties. For the claims of the maintenance and upbringing of the minor child Nievedita Panwar, the petitioners have agreed to pay a total sum of ₹35,00,000/- out of which ₹7,00,000/- will be paid in October, 2019, ₹13,00,000/- in October, 2020 and ₹15,00,000/- in October, 2021. She states that she was a joint owner having 50% share in Flat No.L-611, Jal Vayu Towers, Sector-56, Gurgaon, Haryana and the remaining 50% of the share belonged to petitioner No.1 who has since transferred his shares in the name of respondent No.2. She further states that after receiving a sum of ₹5,00,000/- in October, 2019, she would have no claim whatsoever

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against the petitioners qua her maintenance, stridhan and alimony etc. She states that in view of the settlement arrived at between the parties, 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.273/2016 under Sections 498A/406/34 IPC registered at PS Ashok Vihar, 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 and application are disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 20, 2018

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