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

+ W.P.(CRL) 121/2019

NAUSHAD KARI & ORS.

..... Petitioners

Represented by: Mr.M.K.Perwez, Advocate

versus

STATE & ANR.

..... Respondents

Represented by: Mr.Piyush Singhal, Advocate for
Mr.Ashish Aggarwal, ASC for the
State

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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16.01.2019

CrI.M.A.No.831/2019

Allowed subject to just exceptions.

CrI.M.A.No.832/2019

For the reasons stated in the application, delay of 67 days in re-filing the petition is condoned.

Application is disposed of.

W.P.(CrI.) No.121/2019

1. By this petition, the petitioners seek quashing of FIR No.378/2017 under Sections 498A/406/34 IPC registered at PS Malviya Nagar, 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 proxy counsel for learned Additional Standing Counsel for the State submits that in the above noted FIR nine names were taken however there are no allegations against Mr.Khairati hence the eight petitioners are the accused and respondent No.2 is the only 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 vide settlement deed dated 25th September, 2018. In terms of the settlement as full and final settlement of all the claims, that is, maintenance, streedhan, mehar, iddat and alimony etc. of the respondent No.2, respondent No.2 is to receive a total sum of ₹53,000/- out of which she has already received a sum of ₹33,000/- and the balance amount of ₹20,000/- has been received by her today in Court in cash. After the quashing of the FIR in question, necessary formalities qua talak will also be formalized between the parties. 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. She states that she will comply with the terms of settlement arrived at between the parties.

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.378/2017 under Sections 498A/406/34 IPC registered at PS Malviya Nagar, 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 is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 16, 2019

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