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

+ **W.P.(CRL) 366/2019**

PAWAN BATRA & ORS

..... Petitioner

Represented by: Mr. S.K. Singhal, Ms. Renu Agrawal,
Advts.

versus

THE STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Mr. Jamal Akhtar, proxy Adv. for Mr.
Rahul Mehra, Standing Counsel with
ASI Ramesh Kumar PS Jahangir Puri.
Ms. Hinu Mahajan, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.02.2019

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CrI.M.A. 2600/2019

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 568/2016 under Sections 498A/406/34 IPC registered at PS Jahangir Puri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the three petitioners are the accused and respondent No.2 the 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 before Mediation and Conciliation Centre of the Delhi Government on 25th October, 2018 copy whereof is annexed as Annexure P-2 to the present petition. 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 entitled to receive a total sum of ₹3,70,000/- out of which she has already received ₹2,40,000/- and the balance amount of ₹1,30,000/- has been received by her today in Court by way of demand draft No. '170469' drawn on Kotak Mahindra Bank besides the two items mentioned in the agreement i.e. LED TV 32 inches and Gezer. Petitioner No.1 had given a post-dated cheque for a sum of ₹1,30,000/- drawn on HDFC Bank which has been returned back to the petitioner No.1 by respondent No.2 present in Court. Respondent No.2 states that she has now no claim whatsoever against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She undertakes to 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.

Consequently, FIR No. 568/2016 under Sections 498A/406/34 IPC registered at PS Jahangir Puri, 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.

FEBRUARY 05, 2019
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