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

+ **W.P.(CRL) 392/2019**

PRATIK PRAMOD SHAH & ANR

..... Petitioner

Represented by: Mr. Osama Suhail, Mr. Animesh
Khanna and Mr. Mohit Thareja,
Advocates.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Represented by: Ms. Iti Pandey, Advocate for Ms.
Nandita Rao, ASC for the State with
SI Vipin Kumar, PS Lajpat Nagar.
Mr. R.K. Tripathi, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2019

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By the present petition the petitioners seek quashing of FIR No. 140/2016 under Sections 498A/406/34 IPC registered at PS Lajpat Nagar, 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 learned ASC for the State on instructions submits that in the above noted FIR the three petitioners are the accused and the respondent No.2 is the only complainant/ victim.

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Respondent No. 2 who is present in Court and is identified by the learned counsel and Investigating Officer states that she has settled the matter with the petitioners vide the compromise deed dated 25th November, 2017, copy whereof is annexed as Annexure-P2 to the present petition. In terms of the settlement 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 ₹20 lakhs to respondent No.2 out of which she has already received a sum of ₹14 lakhs and the balance amount of ₹6 lakhs has been received by her today in Court vide Demand Draft No. 194429 drawn on Kotak Mahindra Bank dated 4th February, 2019. She further states that she has now 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 further undertakes to abide by the terms of settlement arrived at between the parties including her undertaking to withdraw the contempt case No. 825/2018 titled as Ruchika Dugar Vs. Pratik Pramod Shah filed in this Court.

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. 140/2016 under Sections 498A/406/34 IPC registered at PS Lajpat Nagar, 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 06, 2019
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