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

+ W.P.(CRL) 444/2019

SHRI PRINCE & ORS. Petitioners

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

versus

STATE & ANR. Respondents

Represented by: Mr.Piyush Singhal, Advocate for
Mr.Ashish Aggarwal, ASC for the
State with SI Rajeshwar, PS Shahdara
Mr.Vijay Pratap Singh and
Mr.Pukhraj Sharma, Advocates for R-
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CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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12.02.2019

1. By this petition the petitioners seek quashing of FIR No.680/2014 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS Shahdara 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 on instructions submits that in the above noted FIR the six petitioners are the only accused and the respondent No.2 is the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Karkardooma Courts on 22nd 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 ₹6,50,000/- to respondent No.2 out of which she has already received a sum of ₹3,00,000/-. ₹2,50,000/- has already been deposited in a fixed deposit in the name of the minor daughter and further a draft of ₹1,00,000/- has been received by her today in Court vide Demand Draft No.884288 drawn on Allahabad Bank. She further states that a minor daughter namely Shahajpreet Kaur born on 4th August, 2013 from the wedlock of petitioner No.1 and respondent No.2 will remain in the care and custody of respondent No.2 and the petitioners would neither have custody nor the visiting rights. 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.

4. Petitioner Nos.1 to 5 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. Petitioner No.6 is not present as he is out of station and is thus exempted from appearing before this Court.

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.680/2014 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at PS Shahdara and proceedings pursuant thereto are hereby quashed qua all petitioners.

7. Petitioner Nos.1 to 5 and respondent No.2 have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 12, 2019

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