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

+ **W.P.(CRL) 563/2019**

ARIF MALIK & ORS.

..... Petitioners

Represented by: **Mr.Pawan Bedi, Advocate**

versus

THE STATE & ANR.

..... Respondents

Represented by: **Ms.Kamna Vohra, ASC for the State
with SI K.P.Singh, PS Khajoori Khas
Mr.Eram Khan, Advocate for R-2**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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21.02.2019

CrI.M.A.No.3925/3019

Allowed subject to just exceptions.

W.P.(CrI.) No.563/2019

1. By this petition, the petitioners seek quashing of FIR No.56/2012 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at PS Khajuri Khas 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 the eight 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 Investigating Officer states that she has settled the

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matter with the petitioners before Delhi Mediation Centre, Karkardooma Courts on 30th March, 2017. In terms of the settlement talak has been pronounced between petitioner No.1 and respondent No.2/complainant. As full and final settlement of all the claims, that is, maintenance, streedhan, alimony, mehar and iddat etc. of the respondent No. 2, the petitioner No.1 has to pay a sum of ₹2,15,000/- to respondent No.2 out of which she has already received a sum of ₹1,30,000/- and the balance amount of ₹85,000/- has been received by her today in Court in cash. She further states that the two daughters born from the wedlock of petitioner No.1 and respondent No.2 would remain in the care and custody of petitioner No.1 and she 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 and undertake 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.56/2012 under Sections 498A/406/34 IPC and Section 4 of the Dowry Prohibition Act registered at PS Khajuri Khas 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.

FEBRUARY 21, 2019

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