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

+ **W.P.(CRL) 589/2019**

SHRI SUSHIL KUMAR & ORS. Petitioner

Represented by: Mr. Narendra Singh, Advocate.

versus

STATE & ANR. Respondent

Represented by: Ms. Rajni Gupta, APP for Mr. Sanjay
Lao ASC with SI Ankur, PS Punjabi
Bagh.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
25.02.2019

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Crl.M.A. No. 4126/2019 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1128/2015 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP 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.

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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 before the Counselling Cell, Tis Hazari Courts on 28th April, 2016, copy whereof is annexed as Annexure-B to the present petition followed by a further settlement dated 24th August, 2016, copy whereof is annexed as Annexure-C to the present petition. In terms of the two-settlement divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. The respondent No. 2 does not claim any maintenance, streedhan and alimony etc. from the petitioner No. 1. She further states that in terms of the subsequent settlement dated 24th August, 2016 she is entitled to meet her son, namely, Depanshu, born from the wedlock on 23rd March, 2013, on every 3rd Saturday of the calendar month from 11:00 A.M. to 1:00 P.M. At the moment she is not exercising the said right but will be free to meet her son as and when she desires. She states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and will 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. 1128/2015 under Sections 498A/406/34 IPC registered at PS Punjabi Bagh, 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 25, 2019
‘yo’