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

+ W.P.(CRL) 1428/2018

ROHAN KAR & ORS

..... Petitioner

Represented by: Mr. Chayan Sarkar, Mr. Anupam,
Advts.

versus

STATE OF NCT & ANR

..... Respondent

Represented by: Ms. Iti Pandey, proxy Adv. for Ms.
Nandita Rao, ASC with ASI
Satyawar PS Sagarpur.
Mr. Rambir Singh, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.02.2019

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By the present petition the petitioners seek quashing of FIR No. 348/2017 under Sections 498A/406/34 IPC registered at PS Sagarpur, 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 Additional 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 the Delhi High Court Mediation and Conciliation Centre on 18th April, 2018 and copy of the settlement is annexed as Annexure P-3 to the present petition. In terms of the settlement divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is to receive a total sum of ₹9,50,000/- which she has already received. She states that she has also got quashed the FIR No. 257/2017 registered at PS K.N. Katju Marg against the family members of petitioner No.1 and has withdrawn her complaint under Section 12 of the Protection of Women from Domestic Violence Act. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and would abide by the terms of settlement arrived at between the parties.

Petitioner No.1 is present in Court and is identified by the learned counsel who affirms the statement of respondent No.2 and undertakes to abide by the terms of settlement arrived at between the parties. Petitioner No.2 and 3 are the parents of petitioner No.1 and are residents of Jharkhand and thus exempted from appearing before this Court.

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. 348/2017 under Sections 498A/406/34 IPC registered at PS Sagarpur, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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 14, 2019
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