

\$~6

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

+ W.P.(CRL) 3801/2018

SH. DALIP KUMAR & ORS.

..... Petitioner

Represented by: Mr. Dalip Kr. Santoshi, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Rajni Gupta, APP with ASI
Surinder Masih, PS Nanakpura.
Mr. Nand Kishor, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

04.02.2019

%

By the present petition the petitioners seek quashing of FIR No. 210/2016 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanakpura, 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 the State on instructions from Investigating Officer submits that in the above-noted FIR the six petitioners are the only accused and respondent No.2 the complainant/ victim.

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 vide the settlement agreement dated 26th September, 2017 before the Pre-Litigation Mediation under the Delhi High
W.P.(CRL) 3801/2018

page 1 of 3

Court Legal Services Committee. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. Respondent No.2 has received all her items of dowry, istridhan, etc. and has now no claim whatsoever against the petitioners. She states that from the wedlock minor son Ankit was born on 29th December, 2013 who would remain in her care and custody and the petitioners would not even have visiting rights. She states that she does not wish to pursue the above-noted 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. 210/2016 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanakpura, 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.

FEBRUARY 04, 2019
‘ga’

MUKTA GUPTA, J.