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

+ **CRL.M.C. 1692/2019**

MOHD. RIYASAT & ORS Petitioners

Through: Counsel appearance not given

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr.Ashok Kumar Garg, APP for
respondent-State with SI Vikas, PS
Khyala
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE SANJEEV NARULA

ORDER

% **26.02.2020**

Vide the present petition, the petitioners seek the quashing of the FIR No.680/2015, PS Khyala registered under Sections 498A/406/34 of the Indian Penal Code, 1860 submitting to the effect that a settlement has been arrived at between the petitioners and the Respondent no.2 and that no useful purpose would be served by the continuation of the proceedings in the present FIR.

The Investigating Officer of the case is present and has identified the petitioners and as being the accused arrayed in the FIR in question and has also identified the respondent no.2.

The respondent no.2 has produced her original proof of identity, photocopy of which is on the record and on query by the Court she has affirmed having signed her affidavit in support of the

averments made in the petition as well as the statement 17.08.2018 which has since been arrived between her and the petitioner no.1 at Mahila Court 01, West, Tis Hazari, New Delhi during the course of the proceedings in CC No.206/1/15. She states that she has signed all these documents voluntarily of her own accord without any duress, coercion or pressure from any quarter.

She has further confirmed to the effect that in terms of the settlement between her and the petitioner no.1, in view of the settlement arrived at between me and the petitioner No.1 a total sum of Rs.3 lacs had been agreed to be paid to her by the petitioner No.1 towards all her claims, which she has already received. She further states that there are now no claims of hers left against the petitioners. The Respondent No.2 has further stated that she has understood the implications of the statement made by her and further states that she does not oppose the prayer made by the petitioners seeking the quashing of the FIR in question nor does she want the petitioners to be punished in relation thereto.

In the additional affidavit filed on behalf of Respondent No. 2 dated 19.02.2020, she has confirmed that the rights vested with their minor child insofar as maintenance and other issues are concerned have not been given up by her. It is stated in the affidavit that the rights of the minor child still subsists against both the parents i.e. the Petitioner No. 1 and the Respondent No. 2.

There is no opposition to the prayer made by the petitioners seeking the quashing of the FIR in question in view of the settlement arrived at between the parties.

In as much as the FIR has apparently emanated from a matrimonial discord between the parties which has been resolved by the dissolution of marriage between the petitioner no.1 and the respondent no.2 and all the claims having been settled, it is considered appropriate to put a quietus to the litigation and disputes between the parties for maintenance of peace and harmony between them as also for the well being of the respondent no.2

In view thereof, the FIR in question and all consequential proceedings emanating therefrom against the petitioners are thus quashed.

The petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 26, 2020

v