

\$~18.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3275/2018 and CRL.M.A. 34922/2019 (impleadment)
GAURAV SHARMA & ORS Petitioners

Through: Mr. Tarun Goomber, Mr. Jitender
Goomber and Ms. Priti Goswami, Advocates
versus

THE STATE (NCT OF DELHI) Respondent
Through: Mr. Mukesh Kumar, APP for State with
SI Gaurav Panwar, P.S. Shadara
Mr. Ghanshyam Kaushik and Mr. Hemant Gulati,
Advocates for complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

06.02.2020

1. The present proceedings are instituted seeking quashing of FIR No.106/2013 under Sections 406/498A/34 IPC and Section 4 of Dowry Prohibition Act registered at P.S. Shahdara on the ground that parties have settled their disputes.
2. Mr. Mukesh Kumar, learned APP for the State, on instructions, submits that the charge sheet in the present case has been filed under the aforesaid sections only against petitioner No.1 and others were kept in column No.12 and respondent No.2 & 3 are the only complainants/victims.
3. Learned counsel for the petitioners submits that the other accused were not summoned by the trial court. He submits that the complainant Ms. Meetu Sharma expired on 11.08.2016 and the present petition is filed impleading the legal heirs of the deceased namely, Mr. Ashok Prabhakar and Ms. Pooja Prabhakar.
4. Learned counsel for the petitioners submits that during the life time of the deceased/complainant, petitioner No.1 as well as the

deceased/complainant had reached a settlement vide Memorandum of Settlement dated 09.03.2015 (Annexure C) and decree of divorce was granted vide order dated 13.07.2016.

5. Petitioner No.1 and legal heirs of the complainant, who are present in person, are identified by their respective counsels and by the Investigating Officer.

6. Legal heirs of the complainant, present in person, state that the complainant had entered into the settlement with petitioner No.1 of her own free will, volition and without any undue force pressure or coercion. They further state that they have no objection in case the present FIR and the consequent proceedings are quashed.

7. Learned counsel for the petitioner submits that no other proceedings are pending between the parties.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between petitioner No.1 and the deceased/complainant, in my view, no fruitful purpose would be served in continuation of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. The petition is disposed of in the above terms along with the pending application.

11. Order *dasti* to the counsels for the parties.

MANOJ KUMAR OHRI, J

FEBRUARY 06, 2020

na