

#45

31.01.2011

Present: Petitioners in person with Mr. Raj Kumar, Advocate.
Mr. R.N. Vats, APP for the State/respondent along with SI Amit Chaudhary, P.S. Malviya Nagar.

+Crl.M.C. No.285/2011

This is a petition under Section 482 Cr.P.C. seeking quashing of the FIR No.952/2006 under Sections 498A/406/34 IPC P.S. Malviya Nagar registered on the complaint of respondent No.2.

Ground for seeking quashing is that the FIR is the result of matrimonial discord between the petitioners and respondent No.2 which has now been amicably settled and now there is no dispute left between them.

Petitioners are present. They are identified by their counsel Raj Kumar, Advocate. Respondent No.2 is present. She is identified by IO SI Amit Chaudhary, P.S. Malviya Nagar.

Petitioner No.1 and respondent No.2 confirm that they have amicably settled the matter through mediation and petitioner No.1 and respondent No.2 have obtained consent divorce. As per the terms of settlement, petitioner No.1 agreed to pay ₹1,80,000/- to respondent No.2, out of which ₹1,50,000/- have already been paid and balance ₹30,000/- is paid today vide a pay order No.358283 dated 30.11.2010 for ₹30,000/- in favour of respondent No.2 drawn on Syndicate Bank, International Business Branch, Connaught Circus.

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

2/

Respondent No.2 submits that she has amicably settled the matter with petitioner No.1 of her own accord, without any inducement or pressure from any corner. In terms of settlement, she has already received ₹1,50,000/- and today balance ₹30,000/- has been received by her vide a Pay Order No.358283 dated 30.11.2010 for ₹30,000/- drawn on Syndicate Bank, International Business Branch, Connaught Circus and now there is no dispute left between them and submits that she does not want any action against the petitioners on her complaint and she has no objection if the FIR is quashed.

Learned Mr. R.N. Vats, APP appearing on behalf of the State submits that in view of the settlement arrived at between the parties, State has no objection in case the FIR and the proceedings emanating therefrom are quashed.

Since the parties have arrived at an amicable settlement through mediation and obtained the consent divorce, I feel that no useful purpose shall be served in keeping the FIR and the proceedings arising out of the same alive. Therefore, the FIR No.952/2006 P.S. Malviya Nagar and proceedings arising out of the same are quashed.

Parties shall remain bound by the terms of the settlement.

Petition stands disposed of.


(AJIT BHARIHOKE)
JUDGE

JANUARY 31, 2011
pst