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

+ CRL.M.C. 4046/2016

OM PRAKASH & ANR.

..... Petitioner

Represented by: Mr. Lokesh Chandra, Adv.  
with petitioners.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP  
with SI Pradeep Rawat, PS  
Vasant Kunj North.  
Mr. Neeraj Sharma, Adv. for  
R-2 with R-2.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

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**27.10.2016**

CrI.M.A. 16921-16922/2016

Exemption allowed, subject to all just exceptions.

CrI.M.C. 4046/2016

By the present petition, the petitioners seek quashing of FIR No.9/2011 under Sections 498A/406/34 IPC registered at PS Vasant Kunj North on the complaint of respondent No.2 and proceedings pursuant thereto on the ground that parties have settled the matter.

Learned APP on instructions from investigating officer submits that in the above noted FIR, the three petitioners are only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by leaned counsel and the investigating officer states that she has settled the matter with the petitioners. Divorce by mutual consent has been granted between

petitioner No.1 and respondent No.2. She has received ₹5.72 lakhs in lieu of all her claims regarding maintenance/istridhan/permanent alimony etc. and has no claim whatsoever now remaining against the petitioners. She further states that baby girl Pari born out of the wedlock will remain in her care and custody and petitioners would neither have custody nor visitation rights of baby girl Pari. She submits that in terms of settlement deed dated 25<sup>th</sup> January, 2016, she does not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioners who are present in Court and identified by their learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement deed dated 25<sup>th</sup> January, 2016 copy of which is placed at pages 54-61 of the paper book.

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.9/2011 under Sections 498A/406/34 IPC registered at PS Vasant Kunj North, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**OCTOBER 27, 2016/‘v mittal’**