

(2018) 01 DEL CK 0214

In the Delhi High Court

Case No : Criminal Writ Petition No. 26 Of 2018

Sunita & Anr

APPELLANT

Vs

State Of Delhi & Anr

RESPONDENT

Date of Decision : 05-01-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 328, 406, 498A
Code of Criminal Procedure, 1973 — Section 482

Citation : (2018) 01 DEL CK 0214

Hon'ble Judges : S.P.Garg, J

Bench : Single Bench

Advocate : D.K.Sareen, Anuj Soni, Abhijeet Bhagat, Tarun K.Bedi

Final Decision : Disposed Of

Judgement

S.P.Garg, J

CRL. M.A.No.140/2018 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

W.P.(CRL) 26/2018

1. Present writ petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No.84/2011 under Sections 328/498A/406/34 IPC at PS Karawal Nagar. It is stated that the matter has been settled amicably with the complainant / respondent No.2 before the Mediation Centre, Tis Hazari Courts, Delhi vide settlement agreement dated 29.11.2017.

2. Complainant / respondent No.2 is present with counsel and has been identified by the Investigating Officer. I have enquired from the complainant if she has settled the dispute with the petitioners amicably without any fear or pressure.

She has informed that all the disputes between the parties have been resolved amicably with her free consent and she has no objection to the quashing of the FIR in question. Husband of the complainant has since expired. Pursuant to the settlement, a sum of Rs. 4 lacs (Rs. 2 lacs by way of demand draft bearing No.186805 dated 15.12.2017 drawn on Corporation Bank in the name of the complainant and Rs. 2 lacs by way of FDR in the name of master Kamal) have been given to the complainant in the Court today.

3. The petition is supported by affidavits of the parties. Copy of settlement agreement dated 29.11.2017 has been placed on record. Since the matter has been settled between the parties, no useful purpose will be served to continue with the proceedings under Sections 328/498A/406/34 IPC. In the interest of justice and to put an end to the litigation, FIR No.84/2011 under Sections 328/498A/406/34 IPC at PS Karawal Nagar and all the proceedings arising therefrom are quashed.

4. The petition stands disposed of accordingly.

5. Order 'dasti.'