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% 30.09.2010

Present: Mr.Amit Tewari, Advocate for the petitioners with petitioners no.1 to 3 in person.
Mr.Pawan K. Bahl, APP for the respondent/State with I.O. Mahipal Singh, P.S. Khyala.

+ Crl.M.A. 15836/2010

Exemption allowed subject to just exceptions.

The application stands disposed of.

Crl.M.C. 3124/2010

This is a petition seeking quashing of FIR No.95/2009 under Sections 498-A/406/34 IPC registered at P.S. Khyala on the complaint of petitioner no.2.

The reason for seeking quashing is that the FIR is the result of matrimonial discord and the parties have arrived at an amicable settlement.

Petitioner nos.1 to 3 are present in person and they are identified by their counsel Mr.Amit Tewari, Advocate as well as the Investigating Officer S.I. Mahipal Singh, P.S. Khyala. Petitioner no.4 is reported to be indisposed.

Petitioners confirm that they have amicably settled the matter. Petitioner no.2/ complainant submits that she has arrived at a settlement with other petitioners of her own accord without any coercion or threat and now there is no dispute left between them. She submits that terms of settlement were reduced into writing and copy thereof is Annexure-'C' to the petition. She also states that since the matter

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has been amicably settled, she does not want any action against the petitioners on her FIR, which may be quashed.

Learned counsel for the petitioners submits that all other complaints and petitions filed by the parties against each other have been withdrawn and the parties have been granted consent divorce.

Learned APP submits that in view of the amicable settlement arrived at between the parties, State has no objection if the FIR is quashed.

Since the parties have arrived at an amicable settlement and now there is no dispute left between them, no useful purpose shall be served in keeping the FIR as well as the proceedings arising of the same alive.

Charge-sheet has yet not been filed, therefore, taking into account facts and circumstances of the case, FIR No.95/2009, P.S. Khyala and the proceedings arising out of the same are quashed.


AJIT BHARIHOKE
(JUDGE)

SEPTEMBER 30, 2010

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