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% 07.10.2010

Present: Mr.R.K. Solanki, Advocate with Mr. Anand prakash, Advocate & Mr. Jarnail Singh, Advocate for the petitioner along with the petitioners.

Mr. R.N. Vats, APP for the respondent No.1/State along with ASI Padam Singh, P.S. Tilak Nagar.

Respondent No.2 in person.

+Crl.M.C. No.3172/2010

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No.509/2001 under Section 498A/406/506/34 IPC registered at P.S. Tilak Nagar on the complaint of respondent No.2.

Ground for the quashing of the FIR is that the parties have arrived at an amicable settlement during divorce proceedings and terms of settlement are detailed in the joint statement of the parties recorded by the District Judge, Family Court, Faridabad.

Petitioners are present. They are identified by their counsel Shri R.K. Solanki, Advocate. Respondent No.2 is present. She is identified by the IO ASI Padam Singh, P.S. Tilak Nagar. Parties confirm that the registration of FIR is the result of matrimonial dispute between the parties and now there is no dispute left between them. Respondent No.2 submits that she has entered into compromise of her own accord without any inducement or threat from any corner and now there is no dispute left. She further states that she does not want any action against the

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petitioners on the basis of her complaint and she has no objection if the FIR No.509/2001 P.S.Tilak Nagar is quashed.

Learned APP submits that since the parties have arrived at an amicable settlement, State has no objection if the FIR and the proceedings arising out of the same are quashed.

As per the settlement, only a sum of Rs.1,50,000/- has been kept in fixed deposit in the bank in the name of minor child Ruby. Besides this, there is no provision in the settlement regarding the maintenance of the child. Therefore, it is made clear that the settlement arrived at between the parties will not come in the way of the child to seek maintenance, if need be, from either of the parents.

Since the parties have arrived at an amicable settlement, no useful purpose shall be served by keeping the FIR No.509/2001 P.S. Tilak Nagar as well as the proceedings arising out of the same alive.

In view of the above, the FIR No.509/2001 registered at P.S. Tilak Nagar as well as the proceedings arising out of the same is quashed.


AJIT BHARIHOKE
(JUDGE)

OCTOBER 07, 2010

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