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18.11.2010

Present: Mr. Rajeshwar P. Gupta, Advocate for the petitioners.
Ms. Fizani Husain, APP for the State.
Mr. Vijendra Singh Baghel, Advocate for respondent No.2 with
respondent No.2 in person.

Crl.M.A. NO.17066/2010

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

Crl.M.A. NO.17460/2010(for restoration) in Crl.M.C. No.3463/2010

Heard.

In view of the reasons given in the application, petition is
restored to its original number.

Application stands disposed of.

Crl.M.C. No.3463/2010

This is a petition seeking quashing of FIR No.80/2009 under
Sections 498A/406/34 IPC P.S. Najafgarh on the ground that the
petitioners and respondent No.2 have amicably settled the matter.

The ground for quashing of the FIR is that the FIR is the result of a
matrimonial dispute between the parties which has been amicably settled
in mediation.

Petitioners are present. They are identified by their counsel Shri

Rajeshwar P. Gupta, Advocate. Respondent No.2 is present, who is
identified by her counsel Shri Vijendra Singh Baghel, Advocate.

Petitioners as well as respondent No.2 confirm that they have settled the matter in mediation and now there is no dispute left between the parties. The report of mediator is also placed on record which contains the terms of the settlement which bears the signatures of the parties. Respondent No.2 submits that she has arrived at the settlement with the petitioners on her own accord without any undue pressure or inducement. She states that she has already received ₹1,50,000/- and for the balance Rs.50,000/-, petitioner has given her a bank draft No.323989 dated 13.09.2010 in Court today in terms of the settlement and now she does not want any action against the petitioners on the basis of her FIR and requests for quashing of the FIR.

Learned APP submits that since the parties have amicably settled the matter, the State has no objection in case the FIR and the proceedings arising out of the same are quashed.

Since the parties have settled the matter, I feel that no useful purpose will be served in keeping the FIR as well as the proceedings arising out of the same alive. Accordingly, FIR No.80/2009 under Sections 498A/406/34 IPC P.S. Najafgarh and the proceedings emanating therefrom are quashed.

The petition stands disposed of.


(AJIT BHARIHOKE)
JUDGE

NOVEMBER 18, 2010

pst