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% 22.11.2010

Present: Mr. Anuj Aggarwal, Mr. Vivek Aggarwal, Mr. Pradeep Khatri, Advocates for the petitioners with petitioners in person.
Mr. Vikas Pahwa, ASC and Mr. R.N. Vats, APP for the State with W/ASI Poonam Tyagi, P.S. Maurya Enclave.
Mr. Manoj Kumar Duggal, Advocate for Respondent No. 2/ complainant with Respondent No. 2/complainant in person.

+ CrI.M.A.17549/2010 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P. (CrI.) No.1730/2010

Petitioners are seeking quashing of FIR No. 440/2009 registered at P.S. Maurya Enclave under Sections 498A/406 IPC on the ground that this FIR is the result of a matrimonial dispute and the petitioners have amicably settled the matter with the respondent No. 2.

Petitioner No. 1 is present. He is identified by his counsel Sh. Anuj Aggarwal, Advocate. Respondent No. 2 is also present and she is identified by her counsel Shri Manoj Kumar Duggal, Advocate as well as W/ASI Poonam Tyagi, P.S. Maurya Enclave, Investigating Officer of the case.

Respondent No. 2 confirms that she has settled the matter in dispute with the petitioners of her own accord without any undue influence or pressure from any corner and as per the terms of the settlement, she has already received a sum of Rs. 3 Lakhs. She states that in terms of the settlement, today she has received balance sum of

Signature Not Verified

1567001
Digitally signed by ANUJ A. V. A.
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

1567001 vide bank draft bearing No. 762472 dated 25.10.2010 drawn on

Oriental Bank of Commerce. She further states that now, she does not want any action against the petitioners on her FIR and requests for the quashing of the FIR.

Learned Sh. Vikas Pahwa, ASC, submits that in view of the settlement arrived at between the parties, the State has no objection if the present FIR as well as the proceedings arising out of the same are quashed.

Since the parties have amicably settled the matter, I feel that no useful purpose will be served in keeping this matter alive. Accordingly, FIR No. 440/2009, P.S. Maurya Enclave and proceedings emanating from the same are hereby quashed.

The petition is disposed of accordingly.

Order Dasti.


AJIT BHARIHOKE
(JUDGE)

NOVEMBER 22, 2010

pst