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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 2104/2016**

RADHEY SHYAM & ORS

..... Petitioner

Represented by: Mr. Ranjan Kumar, Mr.
Kaushal Kumar, Advs.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with
ASI Tej Ram PS Najafgarh.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.10.2016

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By the present petition the petitioners seek quashing of FIR No. 297/2012 under Sections 498A/406/34 IPC registered at PS Najafgarh, Delhi on the complaint of Respondent No.2 on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the four petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners and in terms of the settlement divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her

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claims of maintenance, istridhan and alimony the respondent No.2 has already received a sum of ₹80,000/- and she has now no claim whatsoever against the petitioners. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and identified by the learned counsel affirm the statement of respondent No.2 and state they will abide by the terms of settlement arrived at between the parties.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 297/2012 under Sections 498A/406/34 IPC registered at PS Najafgarh, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

OCTOBER 24, 2016
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