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

+ CRL.M.C. 2043/2016

RISHI & ORS

..... Petitioner

Represented by: Mr. Sanjeev Chhikara, Advs.
with petitioners.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with SI Shashi Kumar PS
Swaroop Nagar.
Ms. Shweta Kaushik, Adv. for
R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.11.2016

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By the present petition, the petitioners seek quashing of FIR No.188/2014 under Sections 498A/406/34 IPC registered at PS Swaroop Nagar on the complaint of respondent No.2 and proceedings pursuant thereto on the ground that parties have settled the matter.

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

Respondent No.2 is present in Court and identified by learned counsel and the investigating officer. She states that she has settled the matter with the petitioner before the Principal Counsellor, Counselling Cell, Family Court, Rohini Courts, Delhi on 8th September, 2015. In terms of settlement, divorce by mutual consent has been granted between petitioner No.1 and

respondent No.2. In lieu of all her claims towards maintenance/istridhan/permanent alimony etc. respondent No.1 was to receive ₹1 lakh which she has already received. She has now no claim whatsoever against the petitioners. She further states that child Ranak would remain in her care and custody and petitioners would have no visitation rights to child Ranak. She states that she does not wish to pursue the above noted FIR and proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel, affirm the statement of respondent No.2 and state that they will abide by the settlement dated 8th September, 2015 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.188/2014 under Sections 498A/406/34 IPC registered at PS Swaroop Nagar, 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.

NOVEMBER 28, 2016/‘v mittal’