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

+ CRL.M.C. 2036/2016

NILESH JAIN & ORS

..... Petitioner

Represented by: Mr. Yogesh Dagar, Adv. with
petitioners.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Sandeep Singh, PS Bharat
Nagar.
Mr. A.K. Jain, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
21.09.2016

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By the present petition, the petitioner seeks quashing of FIR No.259/2013 under Sections 406/498A/34 IPC registered at PS Bharat Nagar on the complaint of respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

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

Respondent No.2 is present in Court and is identified by her counsel and the investigating officer. She submits that she has settled the matter with the petitioners. Divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In terms of the settlement, respondent

No.2 was to receive ₹6.25 lakhs out of which she has already received ₹4.25 lakhs and balance ₹2 lakhs has been received in Court today. She has no claim whatsoever against the petitioners in respect of stridhan, maintenance/permanent alimony etc. She does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners are present in Court and are identified by their counsel. They affirm the statement of respondent No.2 and state that they will abide by the terms of settlement.

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.259/2013 under Sections 406/498A/34 IPC registered at PS Bharat 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.

SEPTEMBER 21, 2016
‘v mittal’