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

+ CRL.M.C. 2546/2016

PRADEEP & ORS.

..... Petitioner

Represented by: Mr. Rahul Tiwari, Adv.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondent

Represented by: Mr. Ravi Nayak, APP with ASI
Jyoti PS Rajouri Garden.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.09.2016

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By the present petition the petitioners seek quashing of FIR No. 133/2013 under Sections 406/498A/34 IPC registered at PS Rajouri Garden, 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 thereof divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. She further states that she has received a sum of ₹1 lakh in lieu of all her claims of maintenance,

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istridhan, alimony etc. and now she has no claim whatsoever of any kind against the petitioners. She further states that a girl child Jigyasa born from the wedlock would remain in her care and custody and the petitioners will not have the guardianship or visiting rights of the said child. She does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the counsel 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. 133/2013 under Sections 406/498A/34 IPC registered at PS Rajouri Garden, 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 27, 2016

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