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

+ CRL.M.C. 2510/2016

ABHISHEK & ANR

..... Petitioner

Through

Mr. Ranbir Singh, Adv. with
petitioners.

versus

THE STATE (N.C.T OF DELHI) & ANR

..... Respondent

Through

Mr. Ravi Nayak, APP with ASI
Hariom, PS Moti Nagar.

Mr. Vasudev, Adv. for R-2 with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.07.2016

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By the present petition, the petitioners seek quashing of FIR No.195/2013 under Sections 498A/406/34 IPC registered at PS Moti Nagar on the complaint of Respondent No.2 on the ground that parties have settled the matter.

Respondent No.2 is present in Court and is identified by her counsel and the investigating officer. She states that she has settled the matter with the petitioner. In terms of settlement the petitioner has agreed to pay her a total amount of ₹19 lakhs besides an FDR of ₹5 lakhs which was deposited earlier. She has already received the aforesaid amount except ₹6 lakhs which has been paid to her today in Court by way of two bank drafts bearing Nos. 000345 dt. 16th July, 2016 drawn on IDBI Bank, Maharajganj, Siwan, Bihar and 053971 dated 15th July, 2016 drawn on Bank of India, Maharaj Ganj of ₹3 lakhs each. She states that she has no claim whatsoever left

against the petitioners towards alimony, maintenance, stridhan etc. One child Aditya Anand was born from the wedlock who would remain in custoday of respondent No.2 as per the settlement arrived at between the parties. The amount received by respondent No.2 also satisfies the claim of Aditya Anand towards his father. The parties have already been granted divorce by mutual consent.

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. 195/2013 under Sections 498A/406/34 IPC registered at PS Moti 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.

JULY 20, 2016
‘v mittal’