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

+ CRL.M.C. 2516/2016

BIBHUTI BHUSHAN BOSE & ANR. Petitioner
Through Ms. Uma, Adv. with petitioners.

versus

STATE OF NCT OF DELHI & ANR. Respondent
Through Ms. Neelam Sharma, APP with ASI
Dharamvir Singh, PS CWC
Nanakpura.
Mr. Gaurav Kumar Singh, Adv. for
R-2 with R-2.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
20.07.2016

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CrI.M.A. 10793/2016

Exemption allowed, subject to all just exceptions.

CrI.M.C. 2516/2016

By the present petition, the petitioners seek quashing of FIR No. 26/2009 under Sections 498A/406/34 IPC registered at PS C.W. Cell Nanakpura 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 petitioners and does not wish to pursue the abovementioned FIR and proceedings pursuant thereto. The parties have already been granted divorce by mutual consent. As part of settlement which is arrived at between the parties at Delhi Mediation Centre, Tis Hazari Court, petitioner No.1 has

agreed to pay ₹35 lakhs to respondent No.2 towards maintenance of respondent No.2 and child Bidu Kumar Bose. Respondent No.2 has received entire amount except ₹10 lakhs which has been given to her today in Court by way of demand draft No.412397 dated 11th July, 2016 drawn of UCO Bank. Copy of the settlement arrived at between the parties has been placed on record as Annexure P-2 at pages 45 to 48. Petitioner No.2 Smt. Sandhya Basu is exempted from appearing as she is unwell.

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. 26/2009 under Sections 498A/406/34 IPC registered at PS C.W. Cell, Nanakpura, Delhi and proceedings pursuant thereto are hereby quashed. The parties shall abide by the terms of the settlement arrived at.

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’