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

+ **CRL.M.C. 2640/2016**

LALA RAM & ORS.

..... Petitioner

Through

Mr. Pratap Singh, Adv. with
petitioners.

versus

STATE & ANR.

..... Respondent

Through

Mr. Ashok Kumar Garg, APP with
ASI Raju Yadav, PS Adarsh Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.07.2016

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Crl.M.A. 11298/2016

Exemption allowed, subject to all just exceptions.

Crl.M.C. 2640/2016

By this petition, the petitioners who are former brother-in-law, wife of former brother-in-law and former mother-in-law of respondent No.2 seek quashing of FIR No.330/2005 under Sections 498A/406/34 IPC registered at PS Adarsh Nagar on the complaint of respondent No.2.

Notice.

Learned APP for the State accepts notice and states on instructions from the investigating officer that besides the three petitioners herein, charge sheet was also filed against the husband of respondent No.2 Surender @ Bittoo, who is absconding and has been declared proclaimed offender and besides the respondent No.2 there is no other complainant/victim in the FIR.

Petitioner No.1 who is the former brother-in-law of respondent No.2

states that he has already made a fixed deposit receipt for ₹10,000/- each in the name of two children of respondent No.2 Amisha and Dhruv and he will further make two more fixed deposit receipts for ₹20,000/- each in the name of two children of respondent No.2 within two months.

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 does not wish to pursue the abovementioned FIR and proceedings pursuant thereto. Divorce has been granted to respondent No.2 ex-parte as her husband never appeared before the Family Court.

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.330/2005 under Sections 498A/406/34 IPC registered at PS Adarsh Nagar, Delhi and proceedings pursuant thereto are hereby quashed only against the petitioners. Petitioner No.1 will abide by the undertaking given to this Court and place a photocopy of the FDRs on record.

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 27, 2016/‘vkm’