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

+ CRL.M.C. 2662/2016

SUNIL KUMAR SINGH & ORS.

..... Petitioner

Represented by: Mr. Dinesh Malik with Mr.
Akash Saini, Advs.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Kewal Singh Ahuja, APP
with SI Dinesh Kumar,
Narcotics Cell, Crime Branch.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.09.2016

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By the present petition, the petitioner seeks quashing of FIR No. 14/2012 under Sections 498A/406/494/34 IPC registered at PS Dabri on the complaint of respondent No.2 as the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that present FIR was registered against five accused including the four petitioners and one Dinesh Singh the elder brother of Sunil Singh, petitioner No.2. Charge sheet was filed keeping petitioner Nos. 1 to 3 and Dinesh Kumar in column No.11 whereas petitioner No.4 Vinod Singh was kept in column No.12. During the pendency of trial, Dinesh Singh passed away on 3rd January, 2014 which fact has been verified and thus proceedings qua him stand abated. Summons have not been issued to petitioner No.4 however he has been impleaded as a party. He further states

that in the above-noted FIR respondent No.2 is 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 divorce by mutual consent has been granted between her and petitioner No.2. In terms of the settlement, she was to receive a sum of ₹1.64 lakhs which she has already received and now she has no claim whatsoever against the petitioners in respect of stridhan, maintenance, alimony etc. She does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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. 14/2012 under Sections 498A/406/494/34 IPC registered at PS Dabri, 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 07, 2016

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