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

+ **CRL.M.C. 2827/2016**

SANJAY & ORS.

..... Petitioner

Represented by: Mr. Rajshri Sharma, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP
with PSI Rakesh Kumar PS
Mundka.
Mr. Uday Pratap Singh, Adv.
for R-2 with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
08.08.2016

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CrI.M.A. 12047/2016

Exemption allowed subject to just exceptions.

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By the present petition, the Petitioners seek quashing of FIR No. 105/2013 under Sections 498A/406/34 IPC registered at PS Mundka, 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 three accused i.e. petitioner No.1, 2 & 3 have been charge-sheeted whereas petitioner No.4 have been kept in column

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No.12. He further states that besides the respondent No.2 there is no other complainant/ victim in the FIR.

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 above-noted FIR and the proceedings pursuant thereto. She states that divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. She further states that the petitioners have agreed to pay a sum of ₹1,10,000/- to her in lieu of all her claims of istridhan, maintenance and alimony of which she has already received a sum of ₹80,000/- and the balance amount of ₹30,000/- has been received by her today in Court by way of a demand draft No.'440125' dated 10th May, 2016 drawn on Allahabad Bank.

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. 105/2013 under Sections 498A/406/34 IPC registered at PS Mundka, 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.

AUGUST 08, 2016
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MUKTA GUPTA, J.