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

+ **CRL.M.C. 3297/2016**

BHARAT @ BANTY & ORS

..... Petitioner

Represented by: Mr. Ajay Gautam, Adv.

versus

STATE & ORS

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Kamlesh Kumar PS
Ranjeet Nagar.
Ms. Indu Bhushan Vimal, Adv.
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.10.2016

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By the present petition the petitioners seek quashing of FIR No. 367/2014 under Sections 498A/406/34 IPC registered at PS Ranjeet Nagar, 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 the five petitioners are the only accused and respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners and in terms of the settlement divorce by mutual consent has been granted between the parties. Respondent No.2 is entitled to receive a sum of ₹5,50,000/- out of which she has already received a sum of ₹3 lakhs and the balance amount of ₹2.5 lakhs has been received by her today. She further states that the child Master Veer born out of the wedlock will remain in her care and custody and the petitioners will have no visiting rights of the child. She further states that she has now no claim whatsoever of any kind against the petitioners and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties which are incorporated in the statement recorded by the learned Family Court on 20th November, 2015.

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. 367/2014 under Sections 498A/406/34 IPC registered at PS Ranjeet 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.

OCTOBER 18, 2016
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