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

+ **CRL.M.C. 3188/2016**

RAJEEV KHORWAL & ORS.

..... Petitioner

Represented by: Mr. Varun Sharma, Mr. Lajpat
Rai, Mr. Deepak, Advs.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Prabha PS Prasad Nagar.
Mr. Deepak Kashyap, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.09.2016

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CrI.M.A. 13621/2016

Exemption allowed subject to just exceptions.

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By the present petition, the Petitioners seek quashing of FIR No. 27/2013 under Sections 498A/406 IPC registered at PS Prasad 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 the petitioners are the only accused and respondent No.2 the only complainant/victim in the above-noted FIR.

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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 in terms of the MOU dated 23rd January, 2016. Divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. Respondent No.2 is entitled to receive a sum of ₹5,80,000/- in lieu of all her claims of maintenance, istridhan, alimony etc. of which she has already received the entire sum. She states that as per the terms of settlement minor daughter Marsha would be in the custody of respondent No.2 and the petitioners would neither have the custody nor her visiting rights. She states that the above-noted FIR and the proceedings thereto be quashed.

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. 27/2013 under Sections 498A/406 IPC registered at PS Prasad 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.

SEPTEMBER 02, 2016
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