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

+ **CRL.M.C. 3222/2016**

DEEPAK KAKAR & ORS

..... Petitioners

Represented by: Mr. Neeraj Jha, Advocate with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Ghasi Ram,
PS Binda Pur.
Mr. Ritesh Oberoi, Advocate
for the respondent No.2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

05.09.2016

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By the present petition the petitioners seek quashing of FIR No. 579/2015 under Sections 498A/406/34 IPC registered at PS Binda Pur, 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 the Investigating Officers submits that the four petitioners are the only accused and respondent No.2 is the only complainant/victim in the above noted FIR.

The complainant/Respondent No. 2 Ms. Priyanka is present in Court and is identified by the learned counsel and the Investigating Officer. She states that the Petitioners and Respondent No.2/Complainant have entered

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into a Compromise and the statement for the first motion for divorce by mutual consent has already been recorded between petitioner No. 1 and respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No. 1 has paid a sum of ₹2.50 lakhs and the balance amount of ₹1 lakh will be received by her at the time of recording the statement for second motion for divorce by mutual consent for which she would cooperate in the same and she has no claims left whatsoever against the petitioners. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by their counsel state that they will abide by the terms of the settlement dated 3rd February, 2016 arrived at before the Mediation Centre, Dwarka Courts.

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. 579/2015 under Sections 498A/406/34 IPC registered at PS Binda Pur, 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 05, 2016

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