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

+ **CRL.M.C. 3259/2016**

AJIT KUMAR GUPTA @ AJIT KUMAR

..... Petitioner

Represented by: Mr. Deva Mani Mishra, Adv.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with PSI Pritosh Rathee PS
Kirti Nagar.
Mr. Amulya Anand, Adv. for
R-2.

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. 217/2013 under Sections 406/498A/34 IPC registered at PS Kirti 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 though initially 6 accused were named in the FIR, however only the petitioner was kept in column No.11 and the other 5 accused were kept in column No.12 and never summoned by the learned Trial Court.

CRL.M.C. 3259/2016

page 1 of 3

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 petitioner and divorce by mutual consent has already been granted between the petitioner and respondent No.2. In lieu of all her claims of maintenance, istridhan and alimony the respondent No.2 has already received a sum of ₹3,50,000/-. The minor child Parth Gupta born out of the wedlock would remain in the care and custody of respondent No.2. In view of the settlement between the parties she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 noted above and states that he would abide by the terms of settlement arrived at between the parties vide memorandum of understanding dated 24th February, 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. 217/2013 under Sections 406/498A/34 IPC registered at PS Kirti 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 07, 2016
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