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

+ **CRL.M.C. 3481/2016**

ASHFAQ AHAMED

..... Petitioner

Represented by: **Mr. Anil Kumar Saxena, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Ms. Rajni Gupta, APP with SI
Pawan Singh PS Krishna
Nagar.
Ms. Sushila Singh, Adv. for
R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.10.2016

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By the present petition the petitioner seeks quashing of FIR No. 327/2009 under Sections 498A/406/34 IPC registered at PS Krishna 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 there were 7 accused added in the FIR out of which only the petitioner was kept in column No.11 and the other six accused were kept in column No.12 besides two others whose involvement came to be revealed later on. The other eight accused have not been summoned by the learned

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Trial Court and only the petitioner has been summoned. She further states that respondent No.2 is the only complainant/ victim in the above-noted 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, talakh has already been pronounced between the parties and she has received her istridhan, dowry articles and mehar amount and has now no claim whatsoever remaining against the petitioners. She states that 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 affirm the statement of respondent No.2 and states that he will abide by the terms of the settlement.

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. 327/2009 under Sections 498A/406/34 IPC registered at PS Krishna 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 19, 2016
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