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

+ W.P.(CRL) 166/2017

AMAR KANT & ANR.

..... Petitioner

Represented by: Mr. Deo Raj Singh, Adv. with
petitioners.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ranbir Singh Kundu, ASC
with W/SI Santosh, PS Kalyan
Puri.
Mr. Hari Shankar, Adv. for R-2
with R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.01.2017

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By the present petition, the Petitioners seek quashing of FIR No. 553/2015 under Sections 323/354C/377/506/34 IPC registered at PS Kalyanpuri, Delhi on the complaint of Respondent No.2 pursuant to a matrimonial dispute and the proceedings pursuant thereto as the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer states that in the above noted FIR the two petitioners are the only accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and identified by her counsel

and the Investigating Officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Karkardooma Courts on 8th September, 2015 a copy thereof has been placed on record at pages 40 to 44 of the paper book. Divorce by mutual consent has been granted between petitioner No.1 and respondent No.2. In lieu of all her claims regarding maintenance/istridhan/permanent alimony etc., respondent No.2 was entitled to receive ₹4.5 lakhs, out of which she has already received a sum of ₹4 lakhs and the remaining balance of ₹50,000/- has been received by her today in Court by way of Bankers Cheque No.227854 dated 4th November, 2016 drawn on State Bank of India. She does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement dated 8th September, 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. 553/2015 under Sections 323/354C/377/506/34 IPC registered at PS Kalyanpuri, 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.

JANUARY 19, 2017
'v mittal'