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

+ CRL.M.C. 271/2017

MANOJ KUMAR

..... Petitioner

Represented by: Mr. Kumar Dharmendra, Adv.
with petitioner.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ashok Kumar Garg, APP.
Mr. Vinod Pal and Mr. Gulshan
Kumar, Advs. for R-2 with R-
2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.01.2017

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CrI.M.A. 1197/2017

Exemption allowed, subject to all just exceptions.

CrI.M.C.271/2017

By the present petition, the Petitioners seek quashing of FIR No. 471/2009 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act registered at PS Mansarovar Park, Delhi on the complaint of Respondent No.2 and proceedings pursuant thereto as the parties have settled the matter.

Learned APP for the State on instructions submits that in the above noted FIR the petitioner is the only accused and respondent No.2 the only complainant/victim.

Respondent No.2 who is present in Court and identified by learned counsel states that she has settled the matter with the petitioner before the

Delhi Mediation Centre, Karkardooma Courts, Delhi on 25th May, 2010. In terms of the settlement, divorce by mutual consent between the petitioner and respondent No.2 has been granted. In lieu of all her claims regarding istridhan/maintenance/permanent alimony etc., respondent No.2 has received a sum of ₹3.05 lakhs and she has now no claim whatsoever against the petitioner. She does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioner who is present in Court and identified by his counsel affirms the statement of respondent No.2.

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. 471/2009 under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act registered at PS Mansarovar Park, 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 23, 2017
‘v mittal’