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

+ **CRL.M.C. 468/2017**

MANISH GUPTA & ORS

..... Petitioners

Represented by: Mr. N.K. Bhambri and Ms.
Sofia Bhambri, Advocates with
petitioners in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Mr. Ashok K. Garg, APP for
the State with SI Umesh Rana,
PS Adarash Nagar.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2017

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By the present petition the petitioners seek quashing of FIR No. 138/2015 under Sections 498A/406 IPC registered at PS Adarsh Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from the Investigating Officer submits that in the above noted FIR though initially eight accused were arrayed however, charge sheet was filed only against seven accused persons who are the petitioner Nos. 1 to 7 before this Court. The respondent No. 2 is the only complainant/victim in the above noted FIR.

The complainant/Respondent No. 2 Ms. Meenu Bansal, who is present in Court and is identified by the Investigating Officer states that she

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has settled the matter with the petitioners as per the Memorandum of Understanding dated 17th April, 2016. In terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. 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 to pay a sum of ₹9.50 lakhs out of which she has already received a sum of ₹7.50 lakhs and the balance amount of ₹2 lakhs have been paid to her today in Court vide Demand Draft Nos. 870824 and 870825 dated 16th December, 2017 drawn on Punjab National Bank, Gandhi Nagar, Delhi. Respondent No.2 states that now she has no claims whatsoever remaining against the petitioners. She states that the other obligations on the petitioners, as per the Memorandum of Understanding dated 17th April, 2016 have also been complied with by the petitioners. She states that in terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of the respondent No. 2 and state that they will abide by the terms of the Memorandum of Understanding dated 17th April, 2016.

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. 138/2015 under Sections 498A/406 IPC registered at PS Adarsh 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.

FEBRUARY 06, 2017

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