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

+ **CRL.M.C. 1074/2017**

**YOGENDER SINGH & ORS.**

..... Petitioner

Represented by: Mr. Sameer Chandra and Ms.  
Harkirat Kaur, Advocates with  
petitioners in person.

versus

**THE STATE (NCT OF DELHI) & ANR.**

..... Respondents

Represented by: Ms. Rajni Gupta, APP for the  
State with SI Gajender Singh,  
PS CWC Nanak Pura.  
Mr. Ankur Dixit, Advocate for  
respondent No.2 with  
respondent No.2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**17.03.2017**

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**Crl. M.A. No. 4473/2017 (Exemption)**

Allowed, subject to all just exceptions.

**CRL.M.C. 1074/2017**

By the present petition the petitioners seek quashing of FIR No. 35/2008 under Sections 498A/406/34 IPC registered at PS Crime Against Women Cell, Nanak Pura, Delhi on the complaint of Ms. Sunita daughter of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned APP accepts notice on behalf of the State.

***CRL.M.C. 1074/2017***

***Page 1 of 3***

Learned APP for the State on instructions submits that immediately after the Memorandum of Understanding was arrived at between the parties on 14<sup>th</sup> August, 2013 at the Mediation Centre, CAW Cell, Nanak Pura, the complainant Sunita passed away on 2<sup>nd</sup> September, 2013. Thereafter the matter was again referred to Mediation Centre, Dwarka Courts and on 18<sup>th</sup> January, 2017 a settlement has been entered into on behalf of the deceased complainant by her mother and brother. Learned APP for the State further submits that since the deceased died before any child was born and the husband of the deceased is an accused in the above noted FIR, the mother of Sunita would be the only legal heir who has been impleaded as respondent No.2.

The Respondent No.2 Mrs. Sukhmati Devi who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 18<sup>th</sup> January, 2017, copy whereof is annexed at pages 70-72 of the present petition. She says that in lieu of all the claims of the deceased Sunita a sum of ₹2,62,000/- has been received by her by way of Demand Draft No. 359648 drawn on The Delhi State Co-operative Bank Ltd., Ochandi Road, Main Stand, Bawana Delhi and now there is no claim whatsoever against the petitioners and she has no objection, if the above noted FIR and the proceedings pursuant thereto are quashed.

Petitioners who are present in Court and are identified by learned counsel affirm 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, 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. 35/2008 under Sections 498A/406/34 IPC registered at PS Crime Women Cell, Nanak Pura, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

**MUKTA GUPTA, J.**

**MARCH 17, 2017**  
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