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

+ **CRL.M.C. 1151/2017**

NARESH KUMAR

..... Petitioner

Represented by: **Mr. Kishore Kumar, Adv.**

versus

STATE (GOVT OF NCT DELHI & ANR)

..... Respondent

Represented by: **Mr. Amit Ahlawat, APP with
ASI Tulli Ram PS Badarpur.
Mr. Mayank Sharma, Adv. for
R-2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.05.2017

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By the present petition the petitioner seeks quashing of FIR No. 107/2013 under Sections 498A/406/34 IPC registered at PS Badarpur, 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 Investigating Officer submits that in the FIR six accused were arrayed and the petitioner was kept in column No.11 in the charge-sheet whereas other five were kept in column No.12 and were not summoned by the learned Trial Court. Thus, the petitioner is the only accused facing trial and the respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioner on 9th February, 2016 at the Mediation Centre, Saket Courts copy whereof is annexed as Annexure B to the present petition at pages 38 to 41 of the paper book. She states that she is living happily with her husband and children at the matrimonial home as per the terms of settlement since 9th February, 2016 and has no cause of grievance. She undertakes to abide by the terms of settlement arrived at between the parties and states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2 and states that he will abide by the terms of settlement arrived at between the parties on 9th February, 2016 before the Mediation Centre, Saket Courts.

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. 107/2013 under Sections 498A/406/34 IPC registered at PS Badarpur, 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.

MAY 03, 2017
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