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

+ **CRL.M.C. 1230/2017**

SANJAY @ SANJAY SAH & ORS

..... Petitioner

Represented by: Mr. R.S. Singh, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
SI Sunil Chandra, PS Tilak
Nagar.
Mr. Rajan Bhatia, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.03.2017

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By the present petition the petitioners seek quashing of FIR No. 329/2013 under Sections 406/498A/34 IPC registered at PS Tilak 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 Investigating Officer submits that in the above-noted FIR the six petitioners are the only accused and respondent No.2 the only complainant/ victim.

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 petitioners before the Delhi Mediation Centre, Tis Hazari

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Courts on 17th May, 2016 pursuant where to divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 is entitled to receive a sum of ₹1,75,000/- out of which she has already received ₹1,25,000/- and the balance amount of ₹50,000/- has been received by her today in Court in cash. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties.

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. 329/2013 under Sections 406/498A/34 IPC registered at PS Tilak Nagar, 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 24, 2017
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