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

+ **W.P.(CRL) 1066/2017**

SHABIR

..... Petitioner

Represented by: Mr. Rajeev Kr. Malik, Mr.
Sanjeev Kumar, Advs.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
SI Manisha Sharma PS Aman
Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
13.04.2017

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By the present petition the petitioner seeks quashing of FIR No. 196/2016 under Sections 377 IPC registered at PS Aman Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is the only accused and respondent No.2 the only complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioner vide the settlement deed dated 9th November, 2016. Pursuant to the settlement Talakh has already been pronounced between the petitioner and respondent No.2 . As per the settlement she has already received a sum of ₹4,05,000/- from the petitioner in lieu of all her claims of maintenance, istridhan, mehar etc., and she has now no claim whatsoever remaining against the petitioner. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of the settlement arrived at between the parties vide settlement deed dated 9th November, 2016.

The 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 vide settlement deed dated 9th November, 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. 196/2016 under Sections 377 IPC registered at PS Aman Vihar, 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.

APRIL 13, 2017
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