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

+ CRL.M.C. 2433/2016 CRL.M.A.No.20055/2016

SWARAN PRABHAKAR & ANR Petitioners

Through : Ms.Vishakha Ahuja, Advocate with
Ms.Mansimran Singh, Advocate.

versus

STATE OF NCT OF DELHI & ANR Respondents

Through : Ms.Manjeet Arya, APP with ASI
Prakash Vir, PS Rajender Nagar.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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23.02.2017

1. Present petition has been preferred by the petitioners - Swaran Prabhakar and Tamanna Chawla for quashing of FIR No.106/2011 registered under Sections 498A/406 IPC at PS Rajinder Nagar. It is stated that the matter has been settled with the complainant / respondent No.2 amicably.

2. Notice of the petition was sent to the complainant / respondent No.2. However, she opted not to appear to contest the petition despite personal service.

3. Learned APP informed that the FIR in question was earlier quashed by this Court in Crl.M.C.1816/2014 qua Ashish Prabhakar and others on 18.12.2014. Since these petitioners were not present in person that time, FIR could not be quashed qua them.

4. I have examined the order dated 18.12.2014 in Crl.M.C. 1816/2014 (page 60) where the complainant after appearance had

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informed that the dispute between the parties were settled before Mediation Centre, Tis Hazari Courts, on 23.07.2013 after execution of Memorandum of Understanding. It further records that pursuant to the settlement, statements were recorded before the Family Court and the marriage of the respondent No.2 with her husband – Ashish Prabhakar was dissolved in HMA No.1045/2014 on 25.03.2014. The complainant informed the Court that she had already received the settled amount and had no objection to the quashing of the FIR in question. Accordingly, the FIR qua the petitioners No.1 & 3 in the said proceedings were quashed.

5. Since the matter has been settled amicably between the parties and the FIR qua other petitioners have been quashed by an order dated 18.12.2014, I find no legal impediments to quash the FIR in question against the present petitioners who are mother-in-law and sister-in-law of the victims. In the interest of justice and to enable the parties to put an end to the litigation, FIR No.106/2011 registered under Sections 498A/406 IPC at PS Rajinder Nagar and all the proceedings arising therefrom are quashed qua the petitioners.

6. The petition stands disposed of accordingly. Pending application also stands disposed of.

S.P.GARG, J.

FEBRUARY 23, 2017 / tr