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

+ **CRL.M.C. 2462/2016**

ASHISH GEORGE

..... Petitioner

Represented by: Mr. Saurabh Singh, Adv.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI
Deepak Kumar PS Malviya
Nagar.

Ms. Jyoti Aggarwal, Adv. for
R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.01.2017

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By the present petition the petitioner seeks quashing of FIR No. 84/2004 under Section 498A IPC & Section 4 of Dowry Prohibition Act registered at PS Malviya 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 though initially besides the petitioner his father was charge-sheeted however charge has been framed only against the petitioner for the above-noted offences and the father has been discharged. Thus 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. As per the settlement arrived at, the marriage between the petitioner and respondent No.2 has been dissolved by a petition under Section 10A of the Divorce Act, 1869 by mutual consent. In lieu of all her claims of maintenance, istridhan, alimony etc., the respondent No.2 has received a total sum of ₹10 lakhs and she has now no claim whatsoever against the petitioner. She further states that a minor child Swaraj Swarup Agarwal born from the wedlock would remain in her care and custody and the petitioner would neither have the custody nor the visiting rights. She states that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

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. 84/2004 under Section 498A IPC & Section 4 of Dowry Prohibition Act registered at PS Malviya Nagar, Delhi and proceedings pursuant thereto are hereby quashed.

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

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JANUARY 16, 2017
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