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

+ **CRL.M.C. 1478/2017**

NIKHIL GUPTA & ORS

..... Petitioner

Represented by: Mr. Raman Kapur Sr. Adv.
with Mr. Varun Kapur, Mr.
R.P. Singh, Ms. F. Kapur,
Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Hemkaran, PS Adarsh
Nagar.
Mr. P.K. Gupta, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.04.2017

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Amended memo of parties has been filed. The same is taken on record.

By the present petition the petitioners seek quashing of FIR No. 810/2015 under Sections 498A/406/34 IPC registered at PS Adarsh 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 submits that the factum of death of Meena Gupta the mother of petitioner No.1 has been verified and thus the three petitioners are the only accused facing trial and respondent No.2 the only complainant/ victim in the above-noted FIR.

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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 petitioners vide memorandum of settlement dated 2nd January, 2016 and pursuant thereto divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. She states that she does not claim any maintenance, istridhan, alimony, etc., from the petitioners nor would claim the same in future. She states that she has no objection if the above-noted FIR and the proceedings pursuant thereto are quashed and she will abide by the terms of settlement arrived at between the parties vide memorandum of settlement dated 2nd January, 2016 copy whereof is annexed as Annexure P-5 from pages 45 to 48 of the paper book.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of settlement arrived at between the parties on 2nd January, 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. 810/2015 under Sections 498A/406/34 IPC registered at PS Adarsh 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.

CrI.M.A. 6086/2017

Dismissed as infructuous.

MUKTA GUPTA, J.

APRIL 28, 2017

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