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

+ **CRL.M.C. 1892/2017**

NITEN AGGARWAL & ORS

..... Petitioners

Represented by: Mr. P.S. Rana, Advocate with
petitioner in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Represented by: Ms. Aashaa Tiwari, APP for
the State with SI Ravinder
Kumar, PS Prashant Vihar.
Mr. Anuj Jain, Advocate for
respondent No. 2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
09.05.2017

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By the present petition the petitioners seek quashing of FIR No. 739/2015 under Sections 498A/406/34 IPC registered at PS Prashant 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 APP for the State on instructions from the Investigating Officer submits that in the above noted FIR the five petitioners are the only accused and the respondent No.2 the only complainant/victim.

The complainant/Respondent No. 2, who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners vide settlement deed dated 19th

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September, 2016, copy whereof is annexed as Annexure–B at pages 71-75 of the paper book. She states that in view of the settlement divorce by mutual consent has already been granted between the petitioner No.1 and the respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹32 lakhs out of which she has already received a sum of ₹20 lakhs and the balance amount of ₹12 lakhs has been paid today in court vide Demand Draft No.366751 dated 2nd May, 2017 drawn on Vijaya Bank, Delhi and the respondent No.2 now has no claims whatsoever remaining against the petitioners. She undertakes to abide by the terms of the settlement. She states that she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of the settlement deed dated 19th September, 2016 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. 739/2015 under Sections 498A/406/34 IPC registered at PS Prashant Vihar, Delhi and proceedings pursuant thereto are
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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.

MAY 09, 2017
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