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

+ CRL.M.C. 3903/2016 and Crl. M.A. No. 16392/2016 (Stay)

GAURAV GUPTA & ANR

..... Petitioner

Represented by: Ms. Poonam Gupta, Adv. with  
petitioners.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Rajni Gupta, APP with  
ASI Dharamvir Sigh, PS CWC  
Nanakpura.  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**17.04.2017**

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By the present petition the petitioners seeks quashing of FIR No. 77/2012 under Sections 406/498A/34 IPC registered at PS CAW Cell, Nanakpura, 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 besides the two petitioners, brother in law of respondent No.2 was also chargesheeted however he was kept in column No.12 and has not been summoned as an accused. Thus, the two petitioners are only the accused and respondent No.2 the only complainant/victim.

Respondent No. 2, who is present in Court and identified by the investigating officer, states that she has settled the matter with the petitioners vide memorandum of understanding dated 14<sup>th</sup> March, 2016 copy whereof is enclosed at pages 48 to 51 of the paper book. She states that

pursuant to the settlement, divorce by mutual consent has been granted between petitioner No.1 and respondent No.2 and now she has no claim whatsoever remaining against the petitioners. She does not wish to pursue the above noted FIR and the proceedings pursuant thereto. The petitioners who are present in Court and identified by learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement recorded vide memorandum of understanding dated 14<sup>th</sup> March, 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. 77/2012 under Sections 406/498A/34 IPC registered at PS CAW Cell, Nanakpura, 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 17, 2017**  
**‘v mittal’**