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

+ **CRL.M.C. 4577/2016**

ROHIT NEGI & ORS.

..... Petitioner

Represented by: Mr. Amrit Pal Kaur, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
with SI Renu Bala Circle
Traffic.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.03.2017

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By the present petition the petitioners seek quashing of FIR No. 79/2011 under Sections 498A/406/34 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 from Investigating Officer submits that in the above-noted FIR the three petitioners are the only accused and respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners pursuant where to divorce by mutual consent has been granted

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between the petitioner No.1 and respondent No.2 vide order dated 12th July, 2016. The minor daughter Anika born from the wedlock of petitioner No.1 and respondent No.2 would remain in the care and custody of respondent No.2 and the petitioners would neither have the custody nor the visiting rights. Respondent No.2 states that she does not claim any maintenance, istridhan or anything from the petitioners and has no claim whatsoever remaining against them. She states that the above-noted FIR and the proceedings pursuant thereto be quashed.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement arrived at between the parties on 12th July, 2016 copy whereof is annexed at pages 64 to 67 of the present paper book.

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. 79/2011 under Sections 498A/406/34 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.

The petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 07, 2017
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