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

+ CRL.M.C. 162/2017

SUSHANT DUTT SHARMA

..... Petitioner

Represented by: Mr. R K Bachahan, Advocate

versus

STATE & ANR

..... Respondents

Represented by: Mr. Amit Ahlawat, APP for the State
with IO WSI Anita, PS Uttam Nagar
Mr Vinay Duggal, Advocate for
Respondent no.2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.03.2017

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This is a petition for quashing of FIR No.37/2014 under Sections 498A/406/34 IPC registered at PS Uttam Nagar, New, Delhi on the complaint of Respondent No.2.

Learned counsel for the State on instructions from Investigating Officer states that in the above noted FIR petitioner alone was summoned as accused and his family members were not summoned by the trial court and the Respondent No.2 is the only complainant/victim.

The complainant/Respondent No. 2 is present in person and is identified by her counsel and the Investigating Officer. She states that the Petitioner and Respondent No.2/Complainant have entered into a settlement before Delhi Mediation Centre, Tis Hazari Courts, Delhi on 14th February, 2014. In terms of the settlement, marriage between the Petitioner No. 1 and Respondent No. 2/complainant has been dissolved by a decree of divorce by mutual consent. In lieu of her claims for maintenance, istridhan, alimony

etc., Respondent no.2 is entitled to receive ₹5,00,000/- out of which she has already received ₹4,00,000/- and balance amount of ₹1,00,000/- have been paid to her today in Court by way of Demand Draft bearing no. 446324 drawn on SBI, Basant Avenue, Amritsar in favour of Ms. Priya Bhardwaj dated 15.03.2017. She further states that in view of the settlement between the parties, she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioner, who is present in the Court and is identified by the counsel, affirm the statement made by respondent no.2 and state that he will abide by the terms of settlement dated 14th February, 2014.

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, No.37/2014 under Sections 498A/406/34 IPC registered at PS Uttam Nagar, New, 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.

MARCH 17, 2017
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