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

+ **CRL.M.C. 1185/2017**

NARESH BENIWAL

..... Petitioner

Represented by: Mr. Mayank Aggarwal, Mr.
Ajit Sharma, Advs.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Ravi Nayak, APP with
SHO Veer Singh, SI Omveer
Singh PS Nand Nagri, SI Dal
Chand DE Cell, PS
Barakhamba Road.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.03.2017

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CrI.M.A. 4851/2017

For the reasons stated in the application two days delay in refiling is condoned.

Application is disposed of.

CRL.M.C. 1185/2017

By the present petition the petitioner seeks quashing of FIR No. 149/2011 under Sections 498A/406/34 IPC & Section 3/4 of Dowry Prohibition Act registered at PS Nand Nagri, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

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Learned APP for the State on instructions from Investigating Officer submits that in the above-noted FIR the petitioner is 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 petitioner and is living with the petitioner/ her husband along with their children separately from the other family members since 2011 immediately after the registration of FIR and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioner who is present in Court and is identified by the learned counsel affirms the statement of respondent No.2.

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. 149/2011 under Sections 498A/406/34 IPC & Section 3/4 of Dowry Prohibition Act registered at PS Nand Nagri, 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 22, 2017
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