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

+ W.P.(CRL) 3015/2017

KAMALDEEP AHUJA

... Petitioner

Represented by: Ms.Reema Kalra with
Mr.Animesh Gaba, Advocates

versus

STATE & ANR

.... Respondents

Represented by: Mr.Jamal Akhtar, Advocate for
Mr.Rahul Mehta, Standing
counsel for the State with SI
Pawan Kumar, PS Kalkaji

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.12.2017

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By this petition the petitioner seeks quashing of FIR No.655/2016 under Section 406/498A IPC registered at PS Kalkaji on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Notice. Learned proxy counsel for learned Standing Counsel accepts notice.

Learned proxy counsel for learned Standing counsel on instructions from Investigating Officer submits that in the above-noted FIR, besides the petitioner, two more accused i.e. mother and elder brother of the petitioner

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were arrayed. However, after investigation, charge sheet was filed only against the petitioner. Thus, petitioner is the only accused and respondent No.2 is the only complainant in this FIR.

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 before the Mediation Centre, Saket Courts, New Delhi on 19th January, 2017 and she will abide by the terms of settlement arrived at between the parties. In terms of the settlement, divorce by mutual consent has been granted to petitioner No.1 and respondent No.2. In full and final settlement of all her claims i.e. maintenance, streedhan, alimony etc. respondent No.2 was to receive a sum of ₹24,50,000/- out of which, she has already received ₹16,00,000/- and balance of ₹8,50,000/- has been received today in Court vide demand draft No.909703 dated 30.10.2017 drawn on State Bank of India, CP Centre, New Delhi. She states that now she has no claim whatsoever against the petitioners 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 Investigating Officer affirms the statement of respondent No.2 and states that he will abide by the terms of the settlement recorded before the Mediation Centre, Saket Court on 19th January, 2017.

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.655/2016 under Section 406/498A IPC registered at PS Kalkaji 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.

DECEMBER 11, 2017

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