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

+ **CRL.M.C. 2090/2016**

SUNIL AND OTHERS

..... Petitioner

Represented by: Mr. Brijesh Panchal, Mr.
Jeetender Kumar, Advs.

versus

THE STATE AND ANR

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Jasvinder, PS Jyoti Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

20.01.2017

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CrI.M.A. 8848/2016 (delay)

For the reasons stated in the application delay of 20 days in refiling is condoned.

Application is disposed of.

CRL.M.C. 2090/2016

By the present petition the petitioners seek quashing of FIR No. 361/2010 under Sections 498A/406/34 IPC registered at PS Jyoti Nagar, 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 six 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. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc., respondent No.2 is entitled to receive a sum of ₹1,10,000/- out of which she has already received a sum of ₹1,00,000/- and the balance amount of ₹10,000/- has been received by her today in Court by way of cash. She states that she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

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.

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. 361/2010 under Sections 498A/406/34 IPC registered at PS Jyoti Nagar, 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.

JANUARY 20, 2017
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