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

+ **W.P.(CRL) 84/2018**

SHYAM SHANKER GUPTA & ORS

..... Petitioner

Represented by: Mr. R.K. Burman, Adv.

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Represented by: Ms. Nandita Rao, ASC for Ms.
Kamna Vohra, ASC with ASI
Raj Kumar PS Aman Vihar.
Mr. A.K. Jha, Adv. for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

30.01.2018

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CrI.M.A. 1419/2018

As stated by learned Additional Standing Counsel for the State that besides the three petitioners the other accused namely Jai Shankar and Neera the brother and sister-in-law were also being charge-sheeted as accused, the petitioner has moved the present application impleading Jai Shankar and Neera as petitioners No.4 & 5 to the present petition.

Application is disposed of permitting Jai Shankar and Neera to be impleaded as petitioners. Amended memo of parties is taken on record.

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By the present petition the petitioners seek quashing of FIR No. 557/2015 under Sections 498A/406/34 IPC registered at PS Aman Vihar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that by impleading Jai Shankar and Neera all the five petitioners are the only accused in the above-noted FIR and the respondent No.2 the only complainant/ victim.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that has settled the matter with the petitioners. Pursuant to 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 to receive a sum of ₹1,75,000/- out of which she has already received ₹1,20,000/- and the balance amount of ₹55,000/- has been received by her today in Court by way of demand draft No. '311267' dated 7th December, 2017 drawn on Union Bank of India. She states that she has now no claim whatsoever and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

The petitioners who are present in Court and are identified by the learned counsel affirm the statement of the respondent No.2 and undertake to abide by the terms of settlement.

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

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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. 557/2015 under Sections 498A/406/34 IPC registered at PS Aman Vihar, 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.

JANUARY 30, 2018
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