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

+ **W.P.(CRL) 127/2018**

MANISH BAJAJ & ORS

..... Petitioners

Represented by: Mr. Sushil Bhati and Mr.
Ghanshyam Naagar, Advocates
with petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Represented by: Ms. Purnima Malik, Advocate
for Mr. Avi Singh, Additional
Standing Counsel for State with
ASI Balwant Singh, PS CWC
Nanak Pura.
Mr. Kuldeep Vashisth,
Advocate for respondent No.2
with respondent No.2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **16.01.2018**

Crl. M.A. No. 807/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 73/2017 under Sections 498A/406/34 IPC registered at PS Crime (Women) Cell, Nanak Pura, 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 proxy counsel for the learned Additional Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted the three petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the Petitioners vide Memorandum of Understanding dated 7th December, 2017. In terms of the settlement statement for first motion for divorce by mutual consent has already been recorded and the parties will go ahead for recording of the statement for divorce by mutual consent. She also states that she has neither claimed any maintenance, streedhan, alimony etc. nor she will claim any maintenance, streedhan and alimony etc. from the petitioners. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto. She also states that she will abide by the terms of settlement arrived at between the parties on 7th December, 2017.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and undertake to abide by the terms of Memorandum of Understanding dated 7th December, 2017 arrived at between the parties. The petitioner No. 1 further states that he will cooperate with the respondent No.2 in recording of the statement for second motion for divorce by mutual consent.

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

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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. 73/2017 under Sections 498A/406/34 IPC registered at PS Crime (Women) Cell, Nanak Pura, Delhi and proceedings pursuant thereto are hereby quashed against all the accused.

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 16, 2018

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