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

+ **W.P.(CRL) 182/2018**

AJAY KUMAR & ORS

..... Petitioners

Represented by: Mr. Ashok K. Soni, Advocates
with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Ms. Richa Kapoor, Additional
Standing Counsel for State with
SI Anurag, PS Mehrauli.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.01.2018

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Crl. M.A. No. 1063/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 1729/2016 under Sections 498A/406/34 IPC registered at PS Mehrauli, 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 in the above-noted the six petitioners are the only accused and the respondent No.2 is the only complainant/victim.

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Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the Petitioners vide Memorandum of Understanding dated 9th May, 2017, copy whereof is at pages 78 to 84 of the paper book. In terms of the settlement marriage between the Petitioner No.1 and Respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the Respondent No. 2, the Petitioner No.1 has paid a sum of ₹25 lakhs to respondent No.2 and now she has no claim whatsoever remaining against the petitioners. She further states that the minor child Master Siddharth would stay in her care and custody and the petitioners will neither have the custody nor the visiting rights. 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.

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 Understating dated 9th May, 2017 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. 1729/2016 under Sections 498A/406/34 IPC registered at PS Mehrauli, 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 19, 2018
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