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

+ **W.P.(CRL) 280/2018**

**MANOJ RAWAT & ORS**

..... Petitioner

Through Mr. C.S. Gumani, Adv.

versus

**STATE (NCT OF DELHI) & ANR**

..... Respondent

Through Mr. Rajesh Mahajan, ASC with ASI  
Ramesh Kr. PS Swaroop Nagar.  
Mr. Sidhartha Singh, Adv. for R-2/  
complainant.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**29.01.2018**

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Crl.M.A. 1618/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 285/2016 under Sections 498A/406/34 IPC registered at PS Swaroop Nagar, 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 FIR the five petitioners are the only accused and respondent No.2 the only complainant/victim.

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Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioners vide the settlement arrived at between the parties on 20<sup>th</sup> August, 2016 at the time of hearing of the Bail Application. 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 was to receive a total sum of ₹5 lakhs out of which she has already received ₹4 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of demand draft No. '769463' dated 20<sup>th</sup> January, 2018 drawn on Canara Bank. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners No.1, 3,4&5 are present in Court and are identified by the learned counsel. They affirm the statement of respondent No.2 and undertake to abide by the terms of settlement. Petitioner No.2 is not present as he is seriously ill and thus exempted from appearing before this Court.

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. 285/2016 under Sections 498A/406/34 IPC registered at PS Swaroop Nagar, 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 29, 2018**  
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