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

+ **W.P.(CRL) 344/2018**

DEVENDER KUMAR & ANR

..... Petitioner

Represented by: Ms. Ishu Arora, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashish Aggarwal, ASC
with ASI Baljit Singh PS Aman
Vihar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
02.02.2018

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CrI.M.A. 1999/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 597/2016 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 in the above-noted FIR the two 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 Investigating Officer. She states that she has settled the matter with the Petitioners pursuant whereby 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 sum of ₹1 lakh which she has already received from the petitioners and she has now no claim whatsoever remaining against the petitioners. She does not wish to pursue the above-noted 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 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 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. 597/2016 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.

FEBRUARY 02, 2018
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