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

+ **W.P.(CRL) 352/2018**

RAJU @ DILIP KUMAR GUPTA & ORS.

..... Petitioner

Represented by: Mr. Satish Kumar, Adv.

versus

THE STATE OF NCT OF DELHI & ANR.

..... Respondent

Represented by: Ms. Srilina Roy, Adv. for Ms.
Nandita Rao, ASC with SI Arti
PS Patel Nagar.
Mr. Sunil Kr. Singh, Ms. Renu
Agrawal, Advs. for R-2 with R-
2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

02.02.2018

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CrI.M.A. 2066/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 761/2015 under Sections 498A/406/34 IPC registered at PS Patel Nagar, 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 FIR the five petitioners are the only accused and 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 she has settled the matter with the Petitioners at the Counselling Cell, Tis Hazari Courts copy whereof is annexed as Annexure P2 to the present petition. In terms of the settlement divorce by mutual consent between the petitioner No.1 and respondent No.2 has already been granted. In lieu of all her claims of maintenance, istridhan, alimony, etc., the respondent No.2 has already received a sum of ₹1 lakh and she has now no claim whatsoever remaining against the petitioners. She states that 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. 761/2015 under Sections 498A/406/34 IPC registered at PS Patel 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.

FEBRUARY 02, 2018
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