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

+ **W.P.(CRL) 414/2018**

ANURAG DAGAR & ORS

..... Petitioners

Represented by: Mr. Sanjay Kumar Sharma,
Advocate with petitioners in
person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondent

Represented by: Mr. Sanjay Lao, ASC with
Insp. Aasha Sinha, PS
Nanakpura.
Mr. Ashish Garg, Advocate for
respondent No. 2 with
respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

09.02.2018

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Crl.M.A. No. 2596/2018 (Exemption)

Allowed, subject to all just exception.

W.P.(CRL) 414/2018

By the present petition the petitioners seek quashing of FIR No. 54/2016 under Sections 498A/406/34 IPC registered at PS Crime Women Cell, Nanak Pura on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Issue notice.

Learned Additional Standing Counsel for State accepts notice.

Learned Additional Standing Counsel for the State on instructions

W.P.(CRL) 414/2018

Page 1 of 3

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 20th May, 2017, copy whereof is annexed as Annexure-P2 at pages 45 to 48 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 to pay a total sum of ₹35 lakhs to respondent No.2 out of which she has already received ₹30 lakhs and balance of ₹5 lakh has been received by her today in Court vide Bankers Cheque No. 556515 dated 3rd February, 2018 and now she has no claim whatsoever remaining against 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.

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 20th 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

W.P.(CRL) 414/2018 ***Page 2 of 3***

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. 54/2016 under Sections 498A/406/34 IPC registered at PS Crime Women Cell, Nanak Pura 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.

FEBRUARY 09, 2018
‘yo’