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

+ **W.P.(CRL) 961/2018**

ASHOK KUMAR & ORS

..... Petitioner

Represented by: Mr. S.K. Tyagi, Advocate.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Kamna Vohra, ASC with
SI Ved Pal Sharma, PS
Mangolpuri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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05.04.2018

Crl.M.A. No. 5949/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 897/2016 under Sections 498A/406/34 IPC registered at PS Mangolpuri, 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 submits that in the above noted FIR the eight 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

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Investigating Officer states that she has settled the matter with the petitioners vide the Compromise Deed dated 17th November, 2017. Exparte divorce was granted to the petitioner No. 1. 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 sum of ₹2,20,000/- to respondent No.2 out of which she has already received a sum of ₹1,10,000/- and the balance amount of ₹1,10,000/- has been received by her today in Court vide Demand Draft No. 814924 of amount ₹1,00,000/- drawn on Punjab National Bank and ₹10,000/- by way of cash. She further states that 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.

Petitioner No. 1 and 2 are present in Court. Petitioner Nos. 3, 6, 7 and 8 are the married sisters of petitioner No. 1 and petitioner Nos. 4 and 5 are the daughter of petitioner No. 3. Learned counsel for the petitioner states that petitioner Nos. 3 to 8 are residing at distant places and thus could not come again today in Court though they came to Delhi for signing the affidavits. Thus petitioner Nos. 3 to 8 are exempted for appearing in this Court.

Petitioner Nos. 1 and 2 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 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

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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. 897/2016 under Sections 498A/406/34 IPC registered at PS Mangolpuri, 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.

APRIL 05, 2018
‘yo’