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

+ **W.P.(CRL) 1050/2018**

BHUPENDER SINGH & ORS

..... Petitioners

Represented by: Mr. Rajiv Singh Pilania, Mr. Suraj Rathi, Mr. Siddharth Singh and Ms. Renu Yadav, Advocates with petitioners in person.

versus

STATE & ANR

..... Respondents

Represented by: Mr. Ashish Negi, Ms. Sushma and Ms. Shikha Mehra, Advocates for Ms. Richa Kapoor, Additional Standing Counsel for State with ASI Aman Kumar, PS CWC/Nanak Pur.
Respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.04.2018

Crl. M.A. No. 6437/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No.156/2014 under Sections 498A/406/34 IPC registered at PS CAW Cell,

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Nanak Pura, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for learned Additional Standing Counsel for the State on instructions from the investigating officer submits that in the above noted FIR five accused were arrayed however, after completion of investigation charge sheet has been filed only against the three petitioners and the respondent No.2 is the only complainant/ victim.

Respondent No. 2 who is present in Court and is identified by the Investigating Officer states that she has settled the matter with the Petitioners before the Counselling Cell, Family Courts, Karkardooma Court vide settlement deed dated 5th December, 2017, copy whereof is annexed as Annexure-D to the present petition. 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 sum of ₹12.50 lakhs to respondent No.2 out of which she has already received a sum of ₹9 lakhs and the balance amount of ₹3.5 lakhs has been received by her today in Court vide Demand Draft No. 653485 dated 3rd April, 2018 drawn on Punjab National Bank, Jatpura Mukhimpur, Bulandshahr, U.P. 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. She undertakes to 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 settlement arrived at between the parties before the Counselling Cell, Family Courts, Karkardooma.

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.156/2014 under Sections 498A/406/34 IPC registered at PS CAW Cell, Nanak Pura, 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 11, 2018

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