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

+ **W.P.(CRL) 1370/2018**

GAURAV KUMAR & ORS

..... Petitioners

Represented by: **Mr.Gaurav Gandhi, Advocate**

versus

THE STATE & ANR

..... Respondents

Represented by: **Ms.Nandita Rao, ASC for the State
with SI Jitender PS K.N.Katju Marg**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.05.2018

CrI.M.A.No.8343/2018

Allowed subject to just exceptions.

W.P.(CrI.) No.1370/2018

1. By the present petition the petitioners seek quashing of FIR No.196/2017 under Sections 498A/406/34 IPC registered at PS K.N.Katju Marg on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned Additional Standing Counsel for the State submits that in the above noted FIR all the six petitioners were arrayed as accused however in the charge sheet filed by the Investigating Officer yesterday in Court, petitioner Nos.5 and 6 have been kept in Column XI. She further states that respondent No.2 is the only complainant/victim.

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3. Respondent No.2 who is present in Court and is identified by Investigating Officer states that she has settled the matter with the petitioners vide settlement deed dated 21st August, 2017, copy whereof is annexed as Annexure-B of 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., respondent No. 2 is entitled to receive a sum of ₹2,00,000/- which she has already received. 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 and will abide by the settlement arrived at between the parties.

4. 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.

5. 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.

6. Consequently, FIR No.196/2017 under Sections 498A/406/34 IPC registered at PS K.N.Katju Marg and proceedings pursuant thereto are hereby quashed.

7. Parties have signed this order sheet in acknowledgment of their statements made before this Court.

8. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MAY 04, 2018

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