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

+ **W.P.(CRL) 1755/2018**

KUNWAR PAL & ORS

..... Petitioners

Represented by: Mr. H. Rehman and Mr. Raj
Kumar, Advocates with
petitioner Nos. 1, 2, 3 and 5 in
person.

versus

THE STATE (GOVT.OF NCT OF DELHI) & ANR..... Respondents

Represented by: Ms. Amita Sachdeva, Advocate
for Ms. Richa Kapoor,
Additional Standing Counsel
for State with ASI Jagpal
Singh, PS Sonia Vihar.
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

03.08.2018

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By the present petition the petitioners seek quashing of FIR No. 637/2014 under Sections 498A/406/34 IPC registered at PS Sonia Vihar, 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 submits that in the above noted FIR the five petitioners are the only accused and the respondent No.2 is the only complainant/ victim.

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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 Delhi Mediation Centre, Karkardooma Courts on 30th May, 2017, copy whereof is annexed as Annexure-P2 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 paid a sum of ₹2 lakhs to respondent No.2. 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 terms of settlement.

Petitioner Nos. 1, 2, 3 and 5 who are present in Court and are identified by the learned counsel. Learned counsel for the petitioners states that Petitioner No. 4 is on the family way and has been prescribed bed rest, thus petitioner No.4 is exempted from appearing before this Court. Petitioner Nos. 1, 2, 3 and 5 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 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. 637/2014 under Sections 498A/406/34 IPC registered at PS Sonia Vihar, Delhi and proceedings pursuant thereto are hereby quashed qua all the petitioners.

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

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

AUGUST 03, 2018
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