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

+ **W.P.(CRL) 1170/2017**

RAHULBIR SINGH

... Petitioner

Represented by: **Mr.Yogesh Kumar Rana,**
Advocate

versus

THE STATE OF DELHI & ORS

... Respondents

Represented by: **Mr.Piyush Singhal, proxy**
counsel for **Mr.Ashish**
Aggarwal, ASC for the State
with **SI Yogesh Kumar, PS**
Vivek Vihar
Ms.Deepti Gupta, Advocate for
Respondent No.2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.02.2018

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By the present petition the petitioners seek quashing of FIR No.890/2015 under Sections 498-A/406 IPC registered at PS Vivek 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 submits that in the aforesaid FIR, three petitioners as mentioned in the Amended Memo of Parties are the only accused and respondent No.2 the only complainant/victim.

W.P.(CRL) 1170/2017

Page 1 of 3

Respondent No. 2 is present in Court and is identified by learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioners vide Memorandum of Understanding dated 2nd April, 2016 copy whereof is annexed as Annexure-B to the present petition and in terms of the settlement, divorce by mutual consent has been granted to the petitioner No.1 and respondent No.2. Respondent No.2 states that now she has no claim against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She further agrees to abide by the terms of the settlement.

Petitioners No.1 and 2, who are son and father respectively, are present in Court and are identified by the Investigating Officer. However, petitioner No.3, mother of petitioner No.1, who is stated to be 80 years of age is not present being ill. Thus, she is exempted from personal appearance. Petitioners No.1 and 2 affirm the statement of respondent No.2 and undertake to abide by the terms and conditions of the Memorandum of Undertaking dated 2nd April, 2016.

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 qua all the petitioners. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No.890/2015 under Sections 498-A/406 IPC registered at PS Vivek Vihar, Delhi and proceedings pursuant thereto is

W.P.(CRL) 1170/2017

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.

FEBRUARY 12, 2018
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