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

+ **W.P.(CRL) 2282/2018**

MUMTAZ ALAM & OTHERS

..... Petitioner

Represented by: Mr. Ashok Kumar Verma,
Advocate.

versus

THE STATE & ANOTHER

..... Respondent

Represented by: Mr. Jamal Akhtar, Advocate
for Mr. Rahul Mehra, Standing
Counsel with SI Pushpa, PS
Hauz Qazi.
Mr. Vijay Sansaniwal,
Advocate for complainant/R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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31.07.2018

Crl.M.A. No. 28982/2018 (Exemption)

Allowed, subject to all just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 34/2017 under Sections 498A/406/377/354/354B/509/50634 IPC registered at PS Hauz Qazi, 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 Standing Counsel for the State on

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instructions submits that in the above noted FIR the three 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 learned counsel and Investigating Officer states that she has settled the matter with the petitioners before Delhi Mediation Centre, Tis Hazari Courts, Delhi on 6th July, 2018, 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, Mehar, Iddat and alimony etc. of the Respondent No. 2, the Petitioner No.1 has to pay a sum of ₹1,00,000/- to respondent No.2 out of which she has already received a sum of ₹25,000/- and the balance amount of ₹75,000/- has been received by her today in Court vide Demand Draft No. 619623 drawn on State Bank of India dated 30th July, 2018. 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 further 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.

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. 34/2017 under Sections 498A/406/377/354/354B/509/50634 IPC registered at PS Hauz Qazi, 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.

JULY 31, 2018
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