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

+ **W.P.(CRL) 2371/2018**

RIYAZUDDIN & ORS

..... Petitioners

Represented by: Mr.K.K.Vijay, Mr.Ayush and
Mr.Aseen Bhardwaj, Advocates

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Represented by: Ms.Suman Saharan, Advocate for
Mr.Ranbir Singh Kundu, ASC for the
State with SI Amit Kumar, PS
Subhash Place
Mr.Bharat Singh, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.08.2018

Crl.M.A.No.29672/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2371/2018

1. By this petition, the petitioners seek quashing of FIR No.76/2017 under Sections 498A/406/34 IPC registered at PS Subhash Place on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the six petitioners are the only accused and the respondent No.2 is the only

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complainant/victim.

3. 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 the Delhi Mediation Centre, Rohini Courts on 15th January, 2018, copy whereof is annexed as Annexure-P-2 to the present petition. In terms of the settlement, Talaq has been pronounced by petitioner No.1 and as full and final settlement of all the claims, that is, maintenance, streedhan, alimony, mehar and iddat etc. of the respondent No. 2, the petitioner No.1 has to pay a sum of ₹1,70,000/- to respondent No.2 out of which she has already received a sum of ₹70,000/- and the balance amount of ₹1,00,000 has been received by her today in Court vide Demand Draft No.392391 drawn on Canara Bank. 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.

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.

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.76/2017 under Sections 498A/406/34 IPC registered at PS Subhash Place 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.

AUGUST 09, 2018

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