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

+ **W.P.(CRL) 1554/2017**

TARUSH CHAWLA & ORS

..... Petitioner

Represented by: Mr. Yashvir Sethi, Mr.
Abhishek Paruthi, Advs.

versus

STATE (NCT) OF DELHI & ANR

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with
SI Randeep, PS Prashant Vihar.
Mr. Manish Gupta, Adv. for
R-2 with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.02.2018

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By the present petition the petitioners seek quashing of FIR No. 349/2016 under Sections 354/323/509/34 IPC registered at PS Prashant 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 Additional Standing Counsel for the State on instructions from Investigating Officer submits that the FIR in question is an offshoot of a matrimonial dispute between the petitioner No.1 and respondent No.2. He further states that in the above-noted FIR the six petitioners are the only accused and respondent No.2 the only complainant/ victim.

W.P.(CRL) 1554/2017

page 1 of 3

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the Petitioners before the Delhi Mediation Centre, Rohini District Courts on 4th April, 2016 pursuant where to divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony etc., respondent No.2 is to receive a sum of ₹20 lakhs out of which she has already received a sum of ₹13 lakhs and the balance amount of ₹7 lakhs has been received by her today in Court by way of demand draft No. '008431' dated 2nd February, 2018 drawn on Axis Bank Ltd. She further states that she has now no claim whatsoever against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. Respondent No.2 further undertakes to abide by the terms of settlement arrived at between the parties.

Petitioner Nos. 2 to 6 are present in Court. Petitioner No.1 was working in Navy and was thus exempted from appearing before this Court vide order dated 27th July, 2017. Power of attorney executed by the petitioner No.1 in favour of petitioner No.6 has already been placed on record at pages 38 to 40 as Annexure F. Petitioner Nos. 2 to 6 on their behalf and petitioner No.6 on behalf of petitioner No.1 as well 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

W.P.(CRL) 1554/2017 ***page 2 of 3***

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. 349/2016 under Sections 354/323/509/34 IPC registered at PS Prashant Vihar, 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.

FEBRUARY 06, 2018
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