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

+ **W.P.(CRL) 2934/2018**

ARUN YADAV & ORS

..... Petitioner

Represented by: Mr. Naresh C. Sharma and Mr.
Ajay Sharma, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Mr. Sanjay Lao, ASC for Ms.
Kamna Vohra, ASC with SI
Teena, PS Dwarka, Sector-23.
Mr. Syed Hasan Isfahani and
Mr. Vikas Yadav, Advocates
for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.09.2018

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By the present petition the petitioners seek quashing of FIR No. 106/2017 under Sections 498A/406/34 IPC registered at PS Dwarka, Sec-23, 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 submits that in the above noted FIR the five 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

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learned counsel and Investigating Officer states that she has settled the matter with the petitioners before the Mediation Centre, Dwarka Courts on 24th November, 2017, copy whereof is annexed as Annexure-B 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 to pay a sum of ₹38 lakhs to respondent No.2 out of which she has already received a sum of ₹27 lakhs and the balance amount of ₹11 lakhs has been received by her today in Court vide Demand Draft No. 240267 drawn on State Bank of India dated 17th September, 2018. She states that she has now 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 arrived at between the parties.

Petitioner Nos. 2 and 3 are present in Court and are identified by the learned counsel. Petitioner Nos. 1, 4 and 5 have executed a special power of attorney in favour of petitioner No. 2 which is annexed as Annexure-C to the present petition collectively. Petitioner No. 3 and petitioner No. 2 on his behalf and on behalf of petitioner Nos. 1, 4 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. 106/2017 under Sections 498A/406/34 IPC registered at PS Dwarka, Sec-23, 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.

SEPTEMBER 27, 2018
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