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

+ W.P.(CRL) 2899/2018

AMIT KUMAR & ORS

..... Petitioners

Represented by: Mr.S.Hussain, Advocate

versus

THE STATE & ORS

..... Respondents

Represented by: Mr.Ranbir Singh Kundu, ASC for the
State with Ms.Suman Saharan,
Advocate and ASI Yagdutt, PS
K.N.Katju Marg
Mr. Yashvir Singh, Advocate for
respondent No.2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **25.09.2018**

Crl.M.A.No.32857/2018

Allowed subject to just exceptions.

W.P.(Crl.) No.2899/2018

1. By this petition the petitioners seek quashing of FIR No.110/2018 under Sections 498A/406/34 IPC registered at PS K.N.Katju Marg on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Learned Additional Standing Counsel for the State on 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.

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3. Respondent No.2 who is present in Court and is identified by the learned counsel and the Investigating Officer states that she has settled the matter with the petitioners before the Counselling Cell, Family Courts, North District on 27th April, 2018, copy whereof is annexed at pages 48 and 49 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 ₹4,10,000/- to respondent No.2 out of which she has already received a sum of ₹3,10,000/- and the balance amount of ₹1,00,000/- has been received by her today in Court vide Demand Draft No.523250 drawn on Canara Bank. She further states that a minor daughter Baby Manvi was born from the wedlock who will remain in her care and custody and the petitioner would neither have the custody nor the visiting rights of the said child. 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 undertakes to abide by the terms of settlement arrived at between the parties.

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 arrived at between the parties.

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.110/2018 under Sections 498A/406/34 IPC registered at PS K.N.Katju Marg 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.

SEPTEMBER 25, 2018

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