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

+ **W.P.(CRL) 3696/2016**

R K SHARMA & ORS.

..... Petitioner

Represented by: **Mr. Adarsh Tripathi, Adv.**

versus

STATE & ANR.

..... Respondent

Represented by: **Ms. Nandita Rao, ASC with
ASI Yatender Kumar PS New
Ashok Nagar.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
11.04.2018

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By this petition the petitioners sought quashing of FIR No. 214/2011 under Sections 378/379/406/407/417/426/427/120B & 34 IPC registered at PS New Ashok Nagar on the complaint of respondent No.2/ Vikas Malik.

While seeking quashing on settlement the petitioner also raised grounds on merits. Parties had entered into a settlement agreement dated 18th February, 2015 copy whereof is annexed as Annexure P2.

Learned counsel for the petitioner submits that the above-noted FIR is an offshoot of a matrimonial dispute between Madhu Lakhlan/ petitioner No.7 over here and respondent No.2/ Vikas Malik. The petitioner No.7 withdrew all her complaints pursuant to the settlement and divorce by **W.P.(CRL) 3696/2016**

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mutual consent has been granted between petitioner No.7 and respondent No.2.

After this present petition was filed respondent No.2 entered appearance before this Court on 29th March, 2017 and stated that he had no objection to the quashing of FIR qua petitioners No.4 to 7 and thereafter the respondent No.2 failed to appear before this Court.

Learned Additional Standing Counsel on instructions from the investigating officer ASI Yatender Kumar submits that investigation in the above-noted FIR is complete and a cancellation report has been prepared which will be filed before the learned Metropolitan Magistrate within two weeks.

In view of the statement of the learned Additional Standing Counsel for the State, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to take remedies in accordance with law in case the cancellation report is not accepted by the learned Trial Court and re-agitate the grounds therein as well.

Petition is dismissed as withdrawn with liberty as prayed for.

MUKTA GUPTA, J.

APRIL 11, 2018

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