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

+ W.P.(CRL) 3238/2018

MRS. TRIPTA & ANR.

..... Petitioner

Represented by: Mr. Vishal Arun Mishra, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Jamal Akhtar, Proxy Adv. for Mr.
Rahul Mehtra, Standing Counsel with
ASI Hemlata PS Swaroop Nagar.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

19.11.2018

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CrI.M.A. 34742/2018

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 329/2018 under Sections 354/323/34 IPC registered at PS Swaroop Nagar, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned proxy counsel for the learned Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two petitioners are the only accused and respondent No.2 the only

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complainant/ victim. He further states that the present FIR is also an offshoot of a matrimonial dispute between the petitioner No.1 and her husband who happens to be the brother-in-law of respondent No.2

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that since petitioner No.1 and her husband have holistically settled the matter vide the compromise deed dated 15th October, 2018 and the two of them are residing together with the other family members in the matrimonial home she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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.

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. 329/2018 under Sections 354/323/34 IPC registered at PS Swaroop Nagar, 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.

NOVEMBER 19, 2018
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