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

+ **W.P.(CRL) 3377/2018**

SH. RAJEEV KUMAR & ORS.

..... Petitioner

Represented by: Mr. Naresh Kumar and Mr. Vikash
Kumar, Advocates.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. Rajesh Mahajan, ASC with ASI
Inder Kumar, PS Aman Vihar.
Mr. S.H. Ansari, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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01.11.2018

CrI.M.A. No. 35578/2018 (Exemption)

Allowed, subject to all just exceptions.

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1. By this petition, the petitioners seek quashing of FIR No.689/2017 under Sections 324/323/354/509/427/34 IPC registered at PS Aman Vihar 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. Learned ASC for the State further submits that the above noted FIR is a consequence

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of matrimonial dispute between petitioner No. 1 and respondent No. 2. Learned ASC for the State further points out that in the above noted FIR, Section 354 has not been invoked.

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 vide the compromise deed dated 5th September, 2018 copy whereof is annexed at pages 30 to 32 of the paper book. In terms of settlement respondent No. 2 is now residing with petitioner No. 1 in the matrimonial home. In terms of the settlement she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto. She also 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.

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.689/2017 under Sections 324/323/354/509/427/34 IPC registered at PS Aman Vihar 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.
9. Order dasti.

NOVEMBER 01, 2018
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MUKTA GUPTA, J.