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

+ **W.P.(CRL) 3450/2018**

MOHIT & ORS

..... Petitioner

Represented by: Mr. Arun Sheoran, Mr. Sushil Kumar,
Advvs.

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Mr. R.S. Kundu, ASC with SI Anand
Pratap Singh PS Madhu Vihar.
Mr. Pramendra Kumar, Mr. B.
Karuna Karan, Advvs. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.12.2018

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By the present petition the petitioners seek quashing of FIR No. 867/2015 under Sections 498A/406/377/34 IPC registered at PS Madhu Vihar, 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 from Investigating Officer submits that in the above-noted FIR besides the five petitioners one more accused was involved namely Chander Pal Sharma, who has since passed away and thus five petitioners are the only accused and respondent No.2 the complainant/ victim. Copy of the death certificate of Chander Pal Sharma has been handed-over which is taken on

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record.

Respondent No. 2 is present in Court and is identified by the learned counsel and the Investigating Officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Karkardooma Courts on 22nd May, 2018 copy whereof is annexed from pages 46 to 50 of the paper book. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No.2 has received a sum of ₹12,50,000/- and she has now no claim whatsoever against the petitioners and does not wish 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.

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.

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. 867/2015 under Sections 498A/406/377/34 IPC registered at PS Madhu Vihar, 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.

DECEMBER 14, 2018
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