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

+ CRL.M.C. 3819/2017

KUSUM SHARMA & ANR Petitioners

Through: Mr. Shashi Jaiswal, Adv.

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Ms. Kusum Dhalla, APP for State
with ASI Balu Ram, P.S. Bindapur.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **09.05.2018**

By this petition under Section 482 Cr.P.C., petitioners have prayed for quashing of FIR No. 659/2013 under Sections 498A/406/34 IPC registered at police station Bindapur, on the complaint of Smt. Shashi Sharma. Petitioner no.1 is mother-in-law of Smt. Shashi Sharma. Petitioner no.2 is nephew of husband of Smt. Shashi Sharma; whereas petitioner no. 3 is wife of petitioner no.2.

It is submitted that during the pendency of proceedings before the CAW Cell Smt. Shashi Sharma died on 13th September, 2012. Present FIR was registered on 31st December, 2013. Son of petitioner no.1 had also expired on 11th December, 2015. Respondent no.2 Smt. Savitri Devi is mother of Late Smt. Shashi Sharma. It is further submitted that respondent

no.2 is not willing to pursue the FIR any further as the complainant has already died. Smt. Savitri Devi is present in Court and has been identified by ASI Babu Ram of police station Bindapur. She submits that she has settled the matter with the petitioners before the Delhi Mediation Centre, Dwarka Court, Delhi on 18th August, 2017, inasmuch as, has received entire settled amount of ₹1.75 lacs from the petitioner vide a demand draft, photocopy whereof has been placed on record. Respondent no.2 further submits that she has no objection in case FIR is quashed.

Keeping in view the facts as detailed above, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

MAY 09, 2018

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