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

+ W.P.(CRL) 204/2019

SUMIT NANDAL & ANR.

..... Petitioner

Represented by: Mr. Nishchal Joshi, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Ms. Nandita Rao, ASC for Mr.
Ashish Agarwal, ASC with ASI Ghan
Shyam PS Nanakpura.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.01.2019

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CrI.M.A. 1442/2019

Exemption allowed subject to just exceptions.

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By the present petition the petitioners seek quashing of FIR No. 136/2015 under Sections 498A.406/506/509/34 IPC registered at PS Crime (Women) Cell, Nanakpura, 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 the five petitioners are the accused and respondent No.2 the complainant/ victim.

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Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners before the Delhi Mediation Centre, Rohini Courts on 7th November, 2017 pursuant where to divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhn, alimony, etc., respondent No.2 is to receive a total sum of ₹19,50,000/- out of which she has already received ₹10 lakhs and the balance amount of ₹9,50,000/- has been received by her today in Court by way of demand draft No. '507642' drawn on ICICI Bank. She states that she has now no claim whatsoever remaining against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto. She undertakes to abide by the terms of settlement arrived at between the parties.

Petitioners No.1 to 4 are present in Court and are identified by the learned counsel. Petitioner No.5 who is a resident of Australia is represented through petitioner No.2 his power of attorney. Copy of the special power of attorney has been handed-over which is taken on record. Petitioners No.1, 3 & 4 and petitioner No.2 on his behalf and on behalf of petitioner No.5 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. 136/2015 under Sections 498A.406/506/509/34 IPC registered at PS Crime (Women) Cell, Nanakpura, 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.

JANUARY 23, 2019
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