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

+ **W.P.(CRL) 619/2019**

AMAR SINGH AWANA & ORS Petitioners

Represented by: **Mr.Vikas Yadav, Advocate**

versus

STATE & ANR Respondents

Represented by: **Mr.Piyush Singhal, advocate for**

Mr.Ashish Aggarwal, ASC.

Mr.Vikas Lathar, Advocate for R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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26.02.2019

CrI.M.A. 4349/2019

Exemption allowed subject to just exceptions.

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1. By this petition, the petitioners seek quashing of FIR No.1196/2016 under Sections 498A/406/34 IPC registered at PS Samaipur Badli on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

2. Learned proxy counsel for learned Additional Standing Counsel for the State on instructions submits that in the above noted FIR the five petitioners are the only accused and the respondent No.2 is the only complainant/victim.

3. Respondent No.2 who is present in Court and is identified by the learned counsel states that the terms of settlement have been incorporated in their joint statement before the Family Court pursuant whereunto divorce by

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mutual consent has been granted between petitioner No.1 and respondent No.2. As full and final settlement of all the claims, that is, maintenance, streedhan and alimony etc. of the respondent No. 2, the petitioner No.1 has to pay a sum of ₹30 lakhs to respondent No.2 out of which she has already received a sum of ₹28 lakhs and the balance amount of ₹ 2 lakhs has been received by her today in Court in cash. She further states that she has no claim whatsoever remaining against the petitioners. In terms of the settlement she does not want to pursue the abovementioned FIR and the proceedings pursuant thereto and undertakes to abide by the terms of settlement.

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 the parties.

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.1196/2016 under Sections 498A/406/34 IPC registered at PS Samaipur Badli 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. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 26, 2019

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