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

+ **W.P.(CRL) 638/2019**

QASIM KHAN & ORS.

..... Petitioner

Represented by: Mr. Surendra Kr. Roy, Adv.

versus

STATE & ANR.

..... Respondent

Represented by: Mr. R.S. Kundu, ASC with SI
Gaurav Choudhary.
Mohd. Asif, Adv. for R-2 with R-2 in
person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
28.02.2019

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By the present petition the petitioners seek quashing of FIR No. 234/2015 under Sections 498A/406/34 IPC registered at PS Jamia Nagar, 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 four petitioners are the accused and respondent No.2 the complainant/ victim.

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 pursuant where to mutual divorce has been taken

W.P.(CRL) 638/2019

page 1 of 3

by the parties and copy of the said deal is annexed as Annexure B to the present petition. She further states that she has already received her mehar and iddat amount and does not now have any claim whatsoever against the petitioner qua dower, istridhan, maintenance, alimony, etc. She states that she does not wish to pursue the above-noted FIR and the proceedings pursuant thereto and will abide by the terms of settlement arrived at between the parties as noted in the mutual divorce deed dated 18th April, 2016.

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. 234/2015 under Sections 498A/406/34 IPC registered at PS Jamia Nagar, 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.

FEBRUARY 28, 2019
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