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

+ W.P.(CRL) 1128/2019

AJAY & ORS

..... Petitioners

Through: Mr. Manoj Mittal, Advocate with petitioners in person.

versus

GNCT OF DELHI & ORS. Respondents

Through: Ms. Purnima Malik, Advocate for Mr. Avi Singh, ASC for the State with SI Amit Bhardwaj, PS-Gazipur, Delhi.
Mr. Ravi Bhardwaj, Advocate with respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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22.04.2019

The present petition has been filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.0102/2016 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – Gazipur, Delhi on the ground that parties have resolved their issues amicably in terms of the MoU/Compromise-cum-Settlement Deed dated 29.06.2018.

Respondent No.2 is present in Court and is identified by the Investigating Officer, who is also present in Court today. She states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion in terms of the MoU/Compromise-cum-Settlement Deed dated 29.06.2018 and petitioner No. 1 and complainant/respondent No. 2 have already been granted divorce by an order dated 05.12.2018 passed by the Principal Judge, Family Court (Shahdara), Delhi. Complainant/respondent No. 2 states that she has already received Rs.1,50,000/- (Rupees One Lac Fifty Thousand Only) from the petitioners. Today, she has received balance amount of Rs.50,000/- (Rupees Fifty Thousand Only) from the petitioners vide demand draft No. 828929

dated 13.02.2019 drawn on Canara Bank, Kondli towards full and final settlement and she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Petitioners are also present in Court today.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, 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.0102/2016 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – Gazipur, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

APRIL 22, 2019 / gr

Petitioner No. 1

Respondent No. 2

Petitioner No. 2

Petitioner No. 3

Petitioner No. 4