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

+ W.P.(CRL) 937/2018

SHANKI KHURANA & ORS

..... Petitioners

Through: Mr. J.K. Bhola, Mr. Kimmi Brara and
Mr. Kshitiz Aggarwala, Advocates
alongwith petitioners.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Jamal Akhtar and Mr. Amanpreet
Singh, Advocates for Mr. Rahul
Mehra, Standing Counsel for GNCTD
with ASI Ali Haider, PS-Jagatpuri.
Mr. Anjali Dhawan, Advocate for R-2
alongwith R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **28.02.2019**

This petition seeks quashing of FIR No. 363/2017 dated 29.12.2017 registered under sections 498A/406/34 IPC at Police Station, District East Delhi, on a complaint made by the complainant/respondent no. 2 apropos matrimonial *lis* and allegations of assaults and cruelties by petitioner no. 1 and his relatives. The *lis* has been amicably settled between the parties by way of a Settlement Agreement recorded on 13.10.2017. A Demand Draft bearing No. 070390 of Rs. 25,000/- dated 22.01.2019 drawn on Standard Chartered Bank, Preet Vihar Branch has been handed over to the complainant through her counsel. The parties are present in the Court and have been identified by the Investigating Officer. The learned counsel for

the complainant/respondent no. 2 states, upon instructions, that since the *lis* has been amicably settled, the complainant does not wish to pursue her complaint any further and would rather put the unfortunate past behind her and look ahead towards happier times in life.

Since the complainant herself does not wish to pursue her complaint against the petitioners, the substratum of the FIR dissipates and proceedings apropos the same would be an exercise in futility.

Following the dicta of the Supreme Court in *Gian Singh Vs. State of Punjab and Another (2012) 10 SCC 303*, *Narinder Singh & Ors. Vs. State of Punjab & Anr. 2014 6 SCC 466* and *Jitendra Raghuvanshi & Ors. Vs. Babita Raghuvanshi & Anr. (2013) 4 SCC 58*, a case is made out for quashing of the FIR.

In view of the above, the aforesaid FIR and all the proceedings emanating therefrom are hereby quashed.

The petition stands disposed-off in the above terms.

NAJMI WAZIRI, J

FEBRUARY 28, 2019

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