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

+ **W.P.(CRL) 3955/2018**

**PRITHWIJEET MUKHERJEE & ORS**

..... Petitioner

Represented by: Mr. Dharmender Sharma, Mr. Anil  
Kr. Saini, Advs.

versus

**THE STATE ( NCT OF DELHI)&ANR**

..... Respondent

Represented by: Mr. Rahul Mehra, Standing Counsel  
with ASI Maha Singh PS Dwarka  
South.  
Mr. C.M. Sharma, Adv. for R-2 with  
R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**  
**21.02.2019**

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By the present petition the petitioners seek quashing of FIR No. 444/2016 under Sections 406/498A/34 IPC registered at PS Sector-9, Dwarka, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned Standing Counsel for the State on instructions from Investigating Officer submits that in the above-noted FIR the two 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 before the Counselling Cell, Family Courts,  
**W.P.(CRL) 3955/2018**

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Dwarka on 6<sup>th</sup> November, 2017. In terms of the settlement divorce by mutual consent has been granted between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, alimony, etc., respondent No2 was to received a total sum of ₹13,10,000/- out of which she has already received ₹9 lakhs and the balance amount of ₹4,10,000/- has been received by her today in Court by way of pay order No. '055676' drawn on HDFC Bank. She states that she has now no claim whatsoever against the petitioners and does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

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. 444/2016 under Sections 406/498A/34 IPC registered at PS Sector-9, Dwarka, 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.

**FEBRUARY 21, 2019**  
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**MUKTA GUPTA, J.**