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

+ **W.P.(CRL) 1685/2021**

SH. MANISH KUMAR & ORS. Petitioner
Represented by: Mr. Rakesh Beniwal, Advocate
along with Petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondent
Represented by: Mr. Amit Peswani, Advocate for
Ms. Nandita Rao, ASC for the State
with ASI Shamsheer Singh, PS Aman
Vihar.
Mr. S.K. Sangwan, Advocate for R-2
with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

% **ORDER**
06.09.2021

The hearing has been conducted through Physical Mode.

CRL.M.A.13938/2021 (exemption)

1. Exemption allowed subject to just exceptions.
2. Application is disposed of.

W.P.(CRL) 1685/2021

1. By this petition, the petitioners seek quashing of FIR No.124/2019, under Sections 323/354/506/34 IPC, registered at PS Aman Vihar on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.
2. Mr. Amit Peswani, Advocate appearing on behalf of Ms. Nandita Rao, learned Additional Standing Counsel for the State on instructions from

Investigating Officer submits that in the above-noted FIR the three petitioners are the accused and respondent No.2 is the only complainant/victim and that the above noted FIR is the outcome of the matrimonial dispute between the petitioner No.1 and the respondent No.2.

3. Respondent No. 2 who is physically present in Court and identified by the learned counsel states that she has settled the matter with the petitioners vide Settlement Deed dated 10th July, 2019, copy whereof is annexed as Annexure P-2 to the present petition. In terms of the settlement arrived at between the parties, the petitioner No.1 and the respondent No.2 have been granted divorce by mutual consent and in lieu of all her claims towards *streedhan*, maintenance, alimony etc., respondent No.2 was to receive a total sum of ₹8,50,000/-, out of which, she has already received a sum of ₹7,00,000/- and the balance amount of ₹1,50,000/- has been received by her today in Court vide a Demand Draft No.000466, dated 21st August, 2021, drawn on Axis Bank Ltd., Sector 8 Rohini, Delhi. 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. She undertakes to abide by the terms of settlement arrived at between the parties.

4. Petitioners who are physically 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.

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

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pursuant thereto. There is no legal impediment in quashing the FIR in question.

6. Consequently, FIR No.124/2019, under Sections 323/354/506/34 IPC, registered at PS Aman Vihar and proceedings pursuant thereto are hereby quashed.

7. Petition is disposed of.

8. Order be uploaded on the website of this Court.


MUKTA GUPTA, J.

SEPTEMBER 6, 2021

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