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

+ CRL.M.C. 4521/2014

NITIN CHANDANI & ORS

Through

..... Petitioners
Mr. Pawan Kawrani, Adv. along
With Mr. Arun Arora, Adv.

versus

STATE (NCT OF DELHI) & ANR

Through

..... Respondents
Mr. M.P. Singh, APP for the State
SI Saurabh Kumar, PS CWC/Nanak
Pura, New Delhi
Mr. Sunil Kumar Jha, Adv. with R-2
in person

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

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14.01.2015

The present petition has been filed by the petitioners under Section 482 Cr.P.C. for quashing of FIR No.185/2013, under Sections 498-A/406/34 IPC, registered at P.S. CAW Cell, Nanak Pura, Delhi on the complaint of respondent No.2.

Brief facts of the case are that the petitioner No.1 and respondent No.2 got married according to Hindu rites and ceremonies on 20th April, 2007. From the wedlock, one son namely Master Achal was born on 20th September, 2008, who is now under the permanent care and custody of respondent No.2, as per settlement.

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Due to temperamental differences, the petitioner No.1 and respondent No.2 started living separately from 2nd January, 2012. On 29th October, 2013, respondent No.2 filed a complaint against her husband, i.e. petitioner No.1, and his other family members, i.e. petitioner No.2 to 5, before the A.C.P. Crime Against Women Cell, Nanak Pura, Delhi and on the basis of said complaint aforesaid FIR was registered against the petitioners. During the course of the proceedings, the petitioner No.1 and respondent No.2 have settled their disputes amicably before the Mediation Centre, Dwarka Courts, New Delhi. Copy of the settlement arrived at between the parties before the Mediation Centre on 28th January, 2014 is placed on the record. The marriage between petitioner No.1 and respondent No.2 has also been dissolved by virtue of a decree of divorce by mutual consent, dated 3rd September, 2014. Copy of the said decree sheet is also placed on the record. In terms of the settlement, respondent No.2 has received the entire amount from petitioner No.1.

Respondent No.2 is present in Court. She has also confirmed the settlement as well as receiving of Rs.11,00,000/- (Rupees Eleven Lakhs only) from petitioner No.1 in terms of the settlement. The FDR in the sum of Rs.5,00,000/- in the name of Master Achal has been handed over to the Respondent No.2 in the Court today. She has no objection if the prayer made in the petition is allowed.

In view of the averments made in the petition as well as the settlement arrived at between the parties, the FIR No.185/2013 under Sections 498-A/406/34 IPC registered at P.S. CAW Cell, Nanak Pura, Delhi and proceedings pursuant thereto are hereby quashed qua the

petitioners.

The petition is accordingly disposed of.


MANMOHAN SINGH, J

JANUARY 14, 2015/nn
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