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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3528/2016 and CrI.M.A.No.14912/201(stay)
RAJESH GUPTA & ORS

..... Petitioners

Through: Mr.Sahil Munjal, Advocate with all
the petitioners in person, except
petitioner No.Indra Gupta.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.G.M.Farooqui, APP for State with
IO SI Sandeep Kumar.
Mr.B.L.Madhukar and
Mr.M.K.Saroja, Advocates for R2
with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
28.09.2016

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This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.547/2014, under Sections 498-A/406/34 IPC, registered at P.S. Ashok Vihar, Delhi.

Status report has been filed by the State. All the petitioners, except Petitioner No.2, Smt. Indra Gupta, are present in Court. They have been identified by their counsel.

Learned counsel for the petitioners submits that the matter has been amicably settled/compromised between the parties and the complainant/Respondent No.2 is left with no grievance against the

petitioners. He further submits that the divorce has also taken place between the petitioner No.1 Mr.Rajesh Gupta and respondent No.2 Smt.Sakshi Gupta by a decree of divorce granted by the concerned HMA Court vide order dated 07.09.2016. It is further submitted that as per the settlement, the petitioners have agreed to pay a sum of Rs.70 lacs to the complainant/respondent No.2, out of which a sum of Rs.10 lacs has already been paid to her and the remaining amount of Rs.60 lacs has already been deposited with the Principal Judge, North-West, Rohini Courts, Delhi by way of FDR bearing No.300715366041 dated 03.03.2016.

Counsel for the petitioners on instructions submits that a direction be issued to the Principal Judge, North-West District, Rohini Courts, Delhi to release the amount of Rs.60 lacs in favour of the respondent No.2/complainant on her approaching the said Court. Counsel for the petitioners further submits that since the matter has been amicably settled between the parties, no useful purpose would be served by continuing the criminal proceedings/FIR against the petitioners, hence, the FIR and all the subsequent proceedings may be quashed.

Respondent No.2/complainant Smt.Sakshi Gupta is also present in the Court and she is identified by the IO SI Sandeep Kumar and her counsel Mr.B.L.Madhukar, Advocate. She affirms/confirms the factum of amicable settlement with the petitioners and submits that she is now left with no claim/grievance against the petitioners and hence the FIR may be quashed.

Considering the facts and circumstances and the fact that the matter has been amicably settled between the parties, I am of the view that no fruitful purpose would be served in continuing with the criminal proceedings against the petitioners which will only result in wastage of precious judicial

time and loss to public exchequer.

Accordingly, the petition is allowed and the FIR No.547/2014, under Sections 498-A/406/34 IPC, registered at P.S. Ashok Vihar, Delhi and all the proceedings emanating therefrom are hereby quashed. The Principal Judge, North-West District, Rohini Courts, Delhi is directed to release the sum of Rs.60 lacs in favour of the respondent No.2/complainant as per rules.

I.S.MEHTA, J

SEPTEMBER 28, 2016

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