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

+ CRL.M.C. 3839/2016

RAVINDER & ORS

..... Petitioners

Through : Mr. S.B. Sharma, Mr.Yashwant
Gahlot, Advocates.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through : Mr. Panna Lal Sharma, APP for State
with IO/SI Rajender Singh, P.S. Tilak
Nagar, Delhi.

Mr. Rishabh Relan, Advocate for R2.
Respondent No. 2/ Ms. Pooja with her
minor daughter Trisha.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.10.2016

Crl.M.A.No.16074/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Accordingly, this application stands disposed of.

CRL.M.C. 3839/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.44/2015 under Sections 498A/406/34 IPC registered at P.S. Tilak Nagar, New Delhi.

Learned counsel for the petitioners has submitted that the petitioner No. 1 and respondent No. 2 were married to each other on 10th January, 2013 and a girl child was born from the said wedlock namely Baby Trisha, who is presently 2 ½ years old. It is further stated that on complaint of the respondent No. 2 an FIR was registered against the petitioners.

It is stated that the matter has been settled amicably between the parties vide settlement agreement dated 8th April, 2015 arrived at between the parties at the Mediation Centre, Tis Hazari Courts, Delhi for a total sum of Rs.3,00,000/-

Respondent No.2/ Ms. Pooja is present before the court and is identified by the Investigating Officer. I have enquired from her whether the matter has been settled with the petitioners amicably without fear and pressure. She has stated that the matter has been settled without any fear or pressure for a sum of Rs. 3,00,000/-

Learned counsel for the petitioners on instructions from petitioner No.1/husband, who is present in person in court today submits that besides the settlement amount arrived at between the parties on 8th April, 2015 at Mediation Centre, Tiz Hazari Courts, Delhi, the petitioner No. 1 is further ready to pay a sum of Rs.1,500 per month towards the maintenance of the minor child of the parties w.e.f. 1st October, 2016 till the child attains the age of majority.

Accordingly, in view of above, it is directed that the petitioner No 1 shall keep on making payment of maintenance amount of Rs. 1,500/- per month w.e.f. 1st October, 2016, till the minor daughter Trisha attains the age of majority through the RTGS mode of transfer in the savings bank account of the respondent No. 2, who is the guardian, custodian and natural mother of the child, namely Smt. Pooja, D/o Sh. Om, R/o WZ-363 A, Harijan Colony, 80 Gaj, Tilak Nagar, New Delhi-110018.

It is further directed that the minor daughter Trisha is entitled to increase her maintenance amount of Rs.1,500 per month subject to change of status of petitioner No. 1, who is her natural father in near future through

respondent No. 2 under Section 127 Cr.P.C.

Since the matter has been settled between the parties, no useful purpose will be served to continue with the proceedings under Sections 498A/406/34 IPC. In the interest of justice and to enable the parties to settle in life, FIR No.44/2015 under Sections 498A/406/34 IPC registered at PS Tilak Nagar, Delhi and all the proceedings arising therefrom are quashed.

A copy of the order be given *dasti* to the parties.

Another copy of the order be sent to the concerned M.M., P.S. Tilak Nagar, Delhi for compliance.

The present petition is disposed of accordingly.

I.S.MEHTA, J

OCTOBER 17, 2016

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