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

+ CRL.M.C. 4414/2017 and Crl. M.A. No. 17690/2017

ARPIT PRAKASH MATHUR Petitioner

Through: Mr.Rohit Sharma, Advocate

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr.Kamal Kr.Ghei, APP for State
with SI Rajender Singh, PS Malviya
Nagar.

Mr.Jagdev, Advocate for R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **02.11.2017**

The present petition under Section 482 of Cr.P.C. seeking quashing of FIR No.1711/2014, under Sections, 406/498-A/34 IPC, 1860, registered at Police Station Malviya Nagar, has been filed submitting to the effect that a settlement has been arrived at between the parties. A copy of the settlement agreement dated 23.12.2016 is on the record and it has further been submitted that the marriage between the petitioner and the respondent No.2 has since been dissolved by a decree of divorce by mutual consent in HMA No.709/17, of the learned Principal Judge, Family Courts, Patiala House Courts, New Delhi.

Pursuant to the said settlement that has been arrived at between

the petitioner and the respondent No.2, a sum of Rs.6,00,000/- is stated to have already been received by the respondent No.2, who is duly identified by the Investigating Officer, present in the Court today. Pursuant to the said settlement a sum of Rs.6,00,000/- vide a Demand Draft 006769 dated 1.11.2017 drawn on the Indusind Bank Limited in the Court, the photocopy of which has been taken on the record. EX.CW-2/A has been handed over by the petitioner to the respondent no. 2 today in the Court.

Ms.Kaajal Sood, i.e., the complainant /respondent No.2, submits that she has no opposition to the quashing of the FIR No.1711/2014, under Sections, 406/498-A/34 IPC, 1860, registered at Police Station Malviya Nagar, against the petitioners and her statement to this effect has been recorded.

There is no opposition from the State for the quashing of the FIR in the circumstances and in view of the settlement arrived at between the parties in view of the matrimonial dispute having been resolved vide a decree of divorce by mutual consent.

In reply to a specific Court query, it is submitted by the learned counsel for the petitioner and affirmed by the learned APP for the State that the two other accused persons, namely, Sh.Anil Prakash Mathur and Mrs.Chhaya Mathur, who are mentioned in the FIR, were arrayed in column No.12 and no proceedings were initiated against them.

Learned APP for the State submits that he does not oppose the quashing of the FIR against the above said two other accused persons named in Column 12 of the FIR, in view of the settlement arrived at

between the parties.

In view of the settlement arrived at between the parties and the statement made by the respondent No.2 Ms.Kaajal Sood, duly identified by the Investigating Officer and by her learned counsel, whose vakalatnama is on the record, it is apparent that no useful purpose would be served in continuing the proceedings in the FIR No.1711/2014, under Sections, 406/498-A/34 IPC, 1860, registered at Police Station Malviya Nagar, and thus the said FIR is quashed and all the proceedings emanated therefrom are also quashed.

The petition is disposed of .

ANU MALHOTRA, J

NOVEMBER 02, 2017/sv

Crl.M.C. 4414/2017

**CW-1 STATEMENT OF THE INVESTIGATING OFFICER SI
RAJINDER SINGH, POLICE STATION MALVIYA NAGAR,
No.3028/D, DATED 02.11.2017**

On S.A.

I identify Mr.Arpit Prakash Mathur, the petitioner, i.e., the accused in the FIR No.1711/2014, registered at Police Station Malviya Nagar under Sections 406/498-A/34 IPC, who is present in Court and also identify the respondent No.2 Ms.Kaajal Sood, who is also present in Court today as the complainant of FIR No.1711/14, Police Station Malviya Nagar.

ANU MALHOTRA, J.

RO & AC

Crl.M.C. 4414/2017

CW-2 STATEMENT OF MS.KAAJAL SOOD, D/O SH. YOGRAJ SOOD, AGED 30 YEARS, R/O 298/D-2, Third Floor, Sarabati Apartments, GHITRONI, NEW DELHI, DATED 2.11.2017

On S.A.

I have brought my original Aadhaar Card bearing No. 394380106125 and my Election Commission Identity Card.

In terms of the settlement arrived at between me and the petitioner with whom my marriage has since been dissolved vide a Decree of Divorce dated 25.8.2017 of the Principal Judge, Family Courts, Patiala House Courts, New Delhi in HMA 709/17, I have already received a sum of Rs.6,00,000/- from the petitioner and the balance sum of Rs.6,00,000/- has been now received by me in the form of a Demand Draft No. 006769 dated 1.11.2017 drawn on the Indusind Bank Limited in the Court today, the of which is EX.CW-2/A.

There are no claims of mine left against the petitioner. Thus I have no opposition to the quashing of the FIR No.1711/14, under Sections 406/498-A/34 IPC, 1860, registered at Police Station Malviya Nagar, against the petitioner. I also do not oppose the quashing of said FIR against the other two accused, namely, Sh.Anil Prakash Mathur and Mrs.Chhaya Mathur.

ANU MALHOTRA, J.

RO & AC