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

+ **CRL.M.C. 542/2018**

AAKASH PUNATAR & ORS

..... Petitioners

Through

Mr. Pawan Upadhyay with Ms.
Sharmila Upadhyay and Mr. Rajes
Chhetri, Advocates.

versus

N.C.T OF DLEHI & ANR

..... Respondents

Through

Mr. Arun Kumar Sharma, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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02.02.2018

Crl.M.A.2000/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 542/2018

9. The petitioners seek quashing of FIR No.33/2017 under Sections 498A/406/34 IPC, Police Station Nanakpura.

10. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2.

11. Learned counsel for the petitioners submits that the parties have entered into a settlement agreement dated 29.04.2017 through the process of mediation, held at Mediation Centre Supreme Court. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.12.2017.

12. The respondent No.2 was to be paid a total sum of Rs.60,00,000/- in full and final settlement of all her claims. A sum of Rs.10,00,000/- has already been paid. The balance sum of Rs.50,00,000/- stands deposited in the form of a fixed deposit in the Family Court. Learned counsel for the petitioner submits that the said fixed deposit is to be released to the respondent No.2.

13. The respondent No.2 is present in person. She submits that she has settled her disputes with the petitioners and does not wish to press charges against the petitioners and prosecute the complaint any further.

14. In view of the fact that the proceedings emanate out of a matrimonial discord and the parties have fully and finally settled their disputes and the respondent No.2 has stated that she does not wish to press the complaint any further and the fact that the parties have already been divorced by way of a decree of divorce by mutual consent, passed on 18.12.2017, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

15. In view of the above, FIR No.33/2017 under Sections 498A/406/34 IPC, Police Station Nanakpura and the consequent proceedings emanating there from are quashed. It is directed that the fixed deposit of Rs.50,00,000/-, lying in the Family Court, be released to the respondent No.2.

16. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 02, 2018/st