

\$~58

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 689/2018**

AMIT AGARWAL & ORS Petitioners
Through Mr. Rakesh Kansal with Mr.
Narender Kumar and Mr. Shubham
Kansal, Advocates.

versus
STATE & ANR Respondents
Through Mr. Bipin Kumar Sharma with Mr.
Vimal Dubey, Advocates for
respondent No.2 with R-2 in person.
ASI Ramesh Kumar, PS Sagar Pur.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **09.02.2018**

Crl.M.A. 2481/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 689/2018

1. The petitioners seek quashing of FIR No.7/2013 under Sections 498-A/406/34 IPC, Police Station Sagar Pur.
2. The subject FIR emanates out of matrimonial discord. Petitioner No.1 is the husband of respondent No.2.
3. Learned counsel for the petitioners submits that the parties have settled their disputes and have entered into a Memorandum of Settlement dated 12.08.2013. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 24.12.2014.
4. As per the settlement, the respondent No.2 was to be paid a total

sum of Rs.25,00,000/-. It was agreed that a property bearing No.B-76, Ground Floor, Gali No.5, Near Harish Tent House, Dasrathpuri, New Delhi would be transferred in favour of the respondent No.2 and the said sum of Rs.25,00,000/- shall be adjusted towards the sale consideration of Rs.30,00,000/-. The respondent No.2 has already paid the differential amount of Rs.5,00,000/-. The documents transferring title from the petitioner to the respondent No.2 have been executed.

5. The respondent No.2 is present in person, represented by counsel and is identified by the Investigating Officer. 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.

6. 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 24.12.2014, and in the interest of justice, it would be expedient to quash the subject FIR and the consequent proceedings emanating there from.

7. In view of the above, FIR No.7/2013 under Sections 498-A/406/34 IPC, Police Station Sagar Pur and the consequent proceedings emanating there from are quashed.

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

SANJEEV SACHDEVA, J

FEBRUARY 09, 2018
st