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

+ **CRL.M.C. 5711/2018**

SH. ASHISH BANGA & ORS. Petitioners
Through: Mr. Sanjay Kumar Chhikara,
Advocate

versus

STATE & ANR. Respondents
Through: Mr. Kamal Kumar Ghei, APP
with SI Satish Kumar,
PS:Govind Puri, New Delhi
Mr. Harsh Lohia, Advocate for
the complainant

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **14.11.2018**

CRL.M.A.36000/2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 5711/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.770/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Govind Puri, New Delhi.

2. Learned counsel for the petitioners as well as learned counsel for respondent No.2 submitted that the matter has been settled before the Mediation Centre, Saket Courts, New Delhi on 6.7.2017, copy whereof is annexed as Annexure-C. Learned counsel for the petitioners as well as learned counsel for respondent No.2 submitted that in terms of the settlement arrived at between the parties, a decree of divorce was passed on 5.6.2018 by the Family Court, South East, Saket Courts, New Delhi.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and the IO has also verified the settlement effected between the parties.

4. Respondent No.2 submitted that the settlement has been effected on her own free will, without any force, pressure or coercion. She further submitted that she is yet to receive the balance payment of Rs.2,36,000/- and in case the said payment is made by the petitioners, she has no objection to the petition being allowed and the quashing of the FIR.

5. Learned counsel for the petitioners has brought in Court a demand draft for a sum of Rs.2,36,000/-, bearing No.001877, dated 10.10.2018, drawn on Axis Bank, which has been handed over to the respondent No.2.

6. In view of the aforesaid circumstances, the settlement effected between the parties and the balance payment of Rs.2,36,000/- received today in Court by the respondent No.2

by way of a demand draft, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 770/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Govind Puri, New Delhi is quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 14, 2018

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