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

+ **CRL.M.C. 5767/2018**

ANUP KUMAR & ORS Petitioners

Through: **Mr. R.N. Dubey, Advocate**

versus

THE STATE (NCT OF DELHI) DELHI & ANR..Respondents

Through: **Mr. Kamal Kumar Ghei, APP**
with SI C.B. Sharma, PS:New
Usmanpur, Delhi

Mr. Anup Kumar & Mr.
Manish Srivastava, Advocates
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% 16.11.2018

CRL.M.A.47401/2018

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

CRL.M.C. 5767/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.334/2013, under Sections 498-A/34/406 of the Indian Penal Code, 1860, registered at PS:New Usmanpur, Delhi and the consequent proceedings emanating therefrom.

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, Karkardooma Courts, Delhi on 22.12.2016, copy whereof is annexed as Annexure-P-3. 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, petitioner No.1 and respondent No.2 have been granted divorce.

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

4. Respondent No.2 submitted that the settlement has been arrived at between the parties 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.4,50,000/- 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 handed over a demand draft for a sum of Rs.4,50,000/-, bearing No.977432, dated 4.10.2018, drawn on State Bank of India to the respondent No.2 in the Court.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the balance payment of Rs.4,50,000/- 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.334/2013, under Sections 498-A/34/406 of the Indian Penal Code, 1860, registered at PS:New Usmanpur, Delhi and the consequent proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J
NOVEMBER 16, 2018/tp