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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5427/2017

MANISH SINDWANI & ANR

..... Petitioners

Through

Mr. Jitender Ratta with Mr. Anil
Khatri, Advocates.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through

Mr. Mukesh Kumar, APP for the
State.

Ms. Parveen Farha, Advocate for
respondent No.2.

SI Ramphal Singh, PS Bharat Nagar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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09.02.2018

Crl.M.A.21184/2017 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 5427/2017

1. The petitioners seek quashing of FIR No.284/2016 under Sections 498-A/406/34 IPC, Police Station Bharat Nagar.
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 the disputes through Memorandum of Settlement-cum-Deed of Compromise dated 29.11.2016. The parties have already been divorced by way of a decree of divorce by mutual consent, passed on 06.07.2017.

4. The respondent No.2 was to be paid a total sum of Rs.8,50,000/- in full and final settlement of all her claims. A sum of Rs.5,00,000/- has already been paid. The balance sum of Rs.3,50,000/- has been paid to the respondent No.2 by way of a cheque No.312725 dated 08.01.2018 drawn on Syndicate Bank today in Court. The petitioner, who is present in person, undertakes that the cheque shall be honoured on its presentation. The undertaking is accepted.

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 06.07.2017, 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.284/2016 under Sections 498-A/406/34 IPC, Police Station Bharat Nagar and the consequent proceedings emanating there from are quashed.

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

FEBRUARY 09, 2018
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SANJEEV SACHDEVA, J