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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3582/2017**
DARSHAN CHAUHAN

..... Petitioner

Through: Ms Shashi Bala, Adv for petitioner
No. 1

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr Rajesh Mahajan, ASC for State
with SI Vipin Shokeen
Mr Hanish Sharawat, Adv for R-2

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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17.01.2018

The amended memo of parties is on record. Petitioner seeks quashing of the present FIR. The FIR No. 856/2015 was registered under Sections 498A/406/34 IPC at PS Shalimar Bagh on the complaint of respondent No. 2. Respondent No. 2 is present. Petitioner No. 1 is also present. Parties have settled their disputes. The parties who had been married in the year 1997 have now been divorced by decree of mutual consent; the divorce decree was passed in November 2017 dissolving the marriage inter se the parties. In terms of the settlement arrived at inter se the parties, petitioner No. 1 had agreed to pay a sum of Rs.5 lakhs in full and final settlement of all the claims to respondent No. 2 of which Rs. 3 lakh already stands paid and a sum of Rs 2 lakh is being paid today in the court. Parties

have one child aged about 12 years who is in the custody of petitioner No. 1. Learned counsels for the parties admit that due to inadvertence in the settlement, the visitation rights which the respondent No. 2 seeks have not been mentioned. Parties agree that the child of the parties (presently in the custody of petitioner No. 1) shall be permitted to visit his mother i.e., respondent No. 2 on every second Saturday of the month. Since respondent No. 2 is a school teacher she prays that second Saturday shall be feasible to her and the time of visit may be fixed at about 3 pm for about 1-2 hours. Petitioner No. 1 and respondent No. 2 shall inter se agree on the place on a telephonic arrangement and the aforementioned visit of the child shall be afforded by petitioner No. 1 to respondent No. 2.

The aforementioned settlement being arrived at inter se the parties, this is fit case to quash the FIR. To secure the ends of justice, the FIR No. 856/2015 registered under Sections 498A/406/34 IPC PS Shalimar Bagh and all proceedings emanating therefrom are quashed.

Petition disposed of.

Dasti under the signatures of the Court Master.

INDERMEET KAUR, J

JANUARY 17, 2018
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