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

+ **CRL.M.C. 6409/2018**

NITIN MALHOTRA & ANR

..... Petitioners

Through: Mr. Sandeep Kaushik,
Advocate

versus

STATE NCT OF DELHI & ANR

..... Respondents

Through: Mr. Ashish Dutta, APP with
ASI Aman Kumar, CAW,
Nanakpura, New Delhi
Mr. Sumit Gaur, Ms. Payal
Malahotra & Mr. Aman Berry,
Advocates for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.12.2018

CRL.M.A. 49836/2018 (for exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6409/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.13/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:CAW Cell, Nanakpura, New Delhi and the proceedings emanating

therefrom.

2. Learned counsel for the petitioners as well as learned counsel for respondent No.2 submitted that the parties have settled their disputes, on their own free will, without any force, pressure or coercion, vide Settlement dated 24.4.2018, in terms whereof the marriage between petitioner No.1 and respondent No.2 stands dissolved by way of a decree of divorce dated 29.10.2018.

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 arrived at between the parties.

4. Respondent No.2, who is present in Court along with her father, reiterated and submitted that the Settlement has been effected on her own free will, without any force, pressure or coercion and does not want to pursue the criminal proceedings. She further submitted that she is yet to receive the balance payment of Rs.3,00,000/- 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 submitted that the petitioners have brought in Court a demand draft for a sum of Rs.3,00,000/-, bearing No. 793726, dated 7.12.2018, drawn on Andhra Bank, which has been handed over to the respondent No.2.

6. In view of the aforesaid circumstances, the Settlement arrived at between the parties and the balance payment of Rs.3,00,000/- received today in Court by the respondent No.2 by way of the 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. 13/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:CAW Cell, Nanakpura, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 17, 2018

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