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

Date of decision: 23.12.2019

+ CRL.M.C. 6685/2019

VIVEK SRIVASTAV & ORS

..... Petitioners

Through: Mr. Shrey Sahay and Mr. Salil
Bhattacharya, Advs.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Izhar Ahmed, APP for State with
ASI Mukesh Kumar, PS -
Ms. Vinita, Adv. for complainant
with complainant in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 43433/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

CRL.M.C. 6685/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 301/2018 registered at Police Station – Saket and consequent proceedings arising therefrom.
4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the

respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

6. The petitioner no.1 and respondent no.2 got married on 12.12.2015, as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no. 2, they started living separately from 24.02.2016.

7. The petitioners and respondent no.2 have entered into an amicable settlement vide settlement deed dated 25.05.2019 and settled all their disputes amicably, although there is no settlement deed placed on record. As per the settlement, the petitioner no. 1 shall pay an amount of Rs.4,50,000/- as full and final settlement amount to the respondent no. 2, out of which, the respondent No. 2 has received an amount of Rs.2,00,000/-. Two demand drafts bearing Nos. 030944 and 030945, both dated 17.12.2019 for the balance amount of ₹1,50,000/- and Rs.1,00,000/-, respectively are handed over to the respondent No. 2 today in the Court.

8. The complainant is present in person with her counsel and has been identified by ASI Mukesh Kumar of Police Station – Saket and submits that matter has been settled and she does not wish to prosecute the matter any further.

9. Taking into account the aforesaid facts, this Court is inclined to quash the FIR as no useful purpose would be served in prosecuting the petitioners any further.

10. For the reasons afore-recorded, the FIR No. 301/2018 registered at Police Station – Saket and consequent proceedings arising therefrom are quashed.

11. The petition is allowed and disposed of accordingly.

Dasti.

(SURESH KUMAR KAIT)
JUDGE

DECEMBER 23, 2019

PB