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

Date of decision: 09.12.2019

+ CRL.M.C. 6334/2019

PRADEEP AGGARWAL

..... Petitioner

Through Ms. Garima Verma, Adv. with
petitioner in person

versus

STATE & ORS.

..... Respondent

Through Mr. K K Ghei, APP for State
WSI Sushila, PS Paschim Vihar
Mr. Suman Saharan, Adv. for R-2
with R-2 in person
Mr. Prabhas Roy, Adv. for R-3 to 7
with R-3 to 7 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. 42211/2019

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

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3. Vide the present petition, the petitioner seek quashing of FIR No. 291/2011 dated 01.10.2011 registered at Police Station Paschim Vihar 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 respondent nos.3 to 7 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

6. The petitioner and respondent no.2 got married on 02.02.2006 as per Hindu rites and rituals. Out of the said wedlock, one child namely, Pearl Aggarwal, was born. Due to extreme incompatibilities between the petitioner and respondent no.2, they started living separately since December, 2010.

7. The petitioner and respondent no.2 have settled all their disputes amicably vide Settlement cum Agreement dated 23.10.2018, whereby the petitioner has agreed to pay a sum of ₹25 lacs to respondent No. 2 towards all her claims. And apart from it, it has also been agreed upon by the parties, that the petitioner shall have visitation rights to meet the baby, Pearl

Aggarwal, subject to a total of sixty days in a year with prior, intimation/information to the respondent no.2.

8. The complainant/respondent no.2 is present in person with her counsel and has been identified by WSI Sushila of Police Station Paschim Vihar and submits that the matter has been settled and admits having received the entire settlement amount and hence, does not wish to prosecute the matter any further.

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

8. For the reasons afore-recorded, the FIR No. 291/2011 dated 01.10.2011 registered at Police Station Paschim Vihar and consequent proceedings emanating therefrom are quashed.

9. The parties shall bound by the terms of settlement.

10. The petition is allowed accordingly.

11. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

DECEMBER 09, 2019

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