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

Date of decision: 21.11.2019

CRL.M.C. 5908/2019

JATIN MALHOTRA & ORS

..... Petitioners

Through Mr. B P Singh, Adv. with petitioners
in person

versus

THE STATE & ANR

..... Respondents

Through Mr K K Ghai, APP for State
Insp. Satish Malik, PS Rajender
Nagar & W/SI Davinder Kaur, Spl.
Branch, Asaf Ali Road.
Mr. Sandeep Bangal, Adv. for R-2
with R-2 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. 40745/2019

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

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3. Vide the present petition, the petitioners seek quashing of FIR No.337/2016 dated 14.11.2016 registered at Police Station Rajender Nagar 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 29.11.2013 as per Hindu rites and rituals and out of the said wedlock, one male child, namely, Master Aditya was born on 02.04.2015. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 20.12.2014.

7. The petitioner no.1 and respondent no.2 have entered into an amicable settlement before the Mediation Centre, Tis Hazari Courts, Delhi vide a settlement dated 28.05.2019, according to which the petitioner no.1 had agreed to pay a sum of Rs.15 lacs to respondent no.2 towards full and final settlement of all her claims. Out of the settled amount, Rs.10 lacs already stands paid by the petitioner no.1 and remaining Rs.5 lacs have been paid to the respondent no.2 in the Court today by way of a demand draft bearing

no.511284 dated 18.09.2019 drawn on ICICI Bank.

8. The Respondent No. 2 is present in person with her counsel and has been identified by Insp. Satish Malik of Police Station Rajender Nagar and submits that the matter has been settled and she has received the entire settlement amount and therefore, she does not wish to prosecute the matter any further.

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

10. For the reasons afore-recorded, the F.I.R No.337/2016 dated 14.11.2016 registered at Police Station Rajender Nagar and consequent proceedings arising therefrom are quashed.

11. The petition is allowed accordingly.

Dasti.

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 21, 2019

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