

\$~47

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

Date of decision: 13.11.2019

+ CRL.M.C. 5736/2019

SH. BHAGAT SINGH MAHNA & ORS. Petitioners

Through: Ms. Gita Dhingra, Adv.

versus

STATE & ANR. Respondents

Through: Mr. K.K. Ghei, APP for State with
Subhash Chandra, PS – Samaipur
Badli
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. 40033/2019

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

CRL.M.C. 5736/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 34/2019 dated 22.01.2019 registered at Police Station – Samaipur Badli, Delhi and consequent proceedings arising therefrom.
4. Notice issued.

5. Notice is accepted by learned APP on behalf of the State.
6. With the consent of the parties, the present petition is taken up for final disposal.
7. The respondent no.2 is the widow of late Sh. Ajay Mahna, son of petitioner no. 1, namely, Sh. Bhagat Singh Mahna. Husband of the respondent No. 2 expired on 26.05.2018. Due to extreme incompatibilities between the petitioners and respondent no.2, respondent No. 2 started living separately.
8. The petitioners and respondent no.2 have entered into an amicable settlement vide settlement deed dated 04.04.2019 and settled all their disputes amicably.
9. The total settlement amount is ₹6,00,000/-(Rupees Six Lakhs). It is submitted that the respondent no.2 has already received an amount of ₹3,00,000/- (Rupees Three Lakhs). A demand draft bearing no.253296 dated 02.11.2019 for the balance amount of ₹3,00,000/- (Rupees Three Lakhs) is handed over to the respondent no. 2 today in the Court.
10. The complainant is present in person with her counsel and has been identified by SI Subhash Chandra, PS- Samaipur Badli and submits that

matter has been settled and she does not wish to prosecute the matter any further.

11. 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.

12. For the reasons afore-recorded, the FIR No.34/2019 dated 22.01.2019 registered at Police Station–Samaipur Badli, Delhi and consequent proceedings arising therefrom are quashed.

13. The petition is allowed accordingly.

14. *Dasti.*

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 13, 2019

PB