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

Date of decision: 11.10.2019

+ CRL.M.C. 5114/2019

ASA SINGH & ORS

..... Petitioners

Through: Mr. Harjeet Narang, Mr. Anuj
Baawra, Advs. with Petition Nos. 1-3
versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Panna Lal Sharma, APP for State
SI Vinod Kumar, PS – Tilak Nagar
Mr. Vipin, 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. 37780/2019

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. 439/2017 dated 03.09.2017 registered at Police Station- Tilak Nagar, Delhi 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 29.01.2006 as per Hindu rites and rituals. One female child, namely, Simran Kaur, was born out of this wedlock. Due to extreme incompatibilities between the petitioner No. 1 and respondent no.2, they started living separately.

7. The petitioner No. 1 and respondent no.2 have entered into an amicable settlement vide settlement deed dated 23.09.2018 and settled all their disputes amicably. It is further submitted that the settlement between the parties shall be consideration less and the custody of the female child shall remain with the petitioner No. 1.

8. The complainant is present in person with her counsel and has been identified by SI Vinod Kumar 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 concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

10. For the reasons afore-recorded, the FIR No. 439/2017 dated 03.09.2017 registered at Police Station- Tilak Nagar, Delhi and consequent

proceedings arising therefrom are quashed.

11. The petition is allowed accordingly.

12. Order *dasti*, under the signature of Court Master.

(SURESH KUMAR KAIT)
JUDGE

OCTOBER 11, 2019

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