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

Date of decision: 01.10.2019

+ CRL.M.C. 5050/2019

VIJAY PRASAD NAUTIYAL & ORS Petitioners
Through: Mr. Roopenshu Pratap Singh, Adv.

versus

THE STATE OF N.C.T OF DELHI & ANR Respondents
Through: Mr. Izhar Ahmad, APP for State
ASI Ombir Singh, PS R. K. Puram
Adv. for R-2
Adv. (appearance not given)

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL.M.As. 37498-500/2019 (Exemption)

1. Allowed, subject to all just exceptions.
2. These applications are, accordingly, disposed of.

CRL.M.C. 5050/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 137/2014 dated 28.02.2014 registered at Police Station Dabri 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 15.02.2005 as per Hindu rites and rituals. One child was born out of the wedlock namely Shubhankar Shiv. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 18.08.2013.

7. The petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide settlement deed dated 10.09.2018 and settled all their disputes amicably.

8. The total settlement amount is ₹13,25,000/-(Rupees Thirteen Lakhs Twenty Fifty Thousand only). It is submitted that the respondent No. 2 has already received an amount of ₹8 lakhs (Rupees Eight Lacs). A cheque bearing No.092731 dated 26.08.2019 for the balance amount of ₹5,25,000/- (Rupees Five Lacs Twenty Five Thousand) is handed over to the respondent No. 2 today in the Court.

9. The complainant is present in person with her counsel and has been identified by ASI Ombir Singh of Police Station R. K. Puram and submits that matter has been settled and she does not wish to prosecute the matter any further.

10. 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.

11. For the reasons afore-recorded, the FIR No. 137/2014 dated 28.02.2014, registered at Police Station Dabri and consequent proceedings therefrom are quashed.

12. The petition is allowed and disposed of accordingly .

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

OCTOBER 01, 2019
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(SURESH KUMAR KAIT)
JUDGE