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

+ W.P.(CRL) 3284/2019 & CrI. M. A. Nos.41036-37/2019

KSHITIJ GOEL & ORS.

..... Petitioners

Through Mr. Manoj Swarup, Sr. Adv. with
Mr. Ankit Swarup and J. Taria, Advs.
with Petitioner No.1, 2 and 4.

versus

STATE & ANR.

..... Respondents

Through Ms. Nandita Rao, ASC with SI
Varun, P.S. C. R. Park.
Mr. Gaurav Puri, Mr. Sarthak Gupta,
Mr. Hardeep Singh and Zoya Mewta,
Advs. for R2. with R2 in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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25.11.2019

1. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0104/2015, under Sections 498-A/406 of the IPC registered with Police Station C.R. Park and all proceedings emanating therefrom, be quashed.
2. The said FIR was filed at the instance of respondent No.2. She is present in Court and is identified by the Investigating Officer. Respondent No.2 states that the said FIR was filed in view of matrimonial disputes that had arisen between her and her husband (petitioner no.1). She states that she has since resolved all disputes and differences with the petitioners and has no grievance against them. She also confirms that she has entered into a

Settlement Agreement dated 05.04.2018, wherein the parties have agreed to terminate all litigations between the parties. She also states that she is now divorced from the petitioner no.1. Petitioner no.1 and respondent no.2 have secured a decree of divorce by mutual consent.

3. In terms of the aforementioned Agreement, petitioner no.1 has agreed to pay ₹1,11,00,000/- (Rupees one crore eleven lacs) to respondent no.2, out of which, the petitioners have today handed over a Demand Draft, drawn on HDFC Bank for a sum of ₹50,00,000/- (Rupees fifty lacs) to respondent No.2 towards the balance amount of settlement. A copy of the same is annexed as Annexure P16 to the present petition.

4. Respondent no.2 acknowledges that she has received all amounts in terms of the said agreement. Respondent No.2 has accepted the said Demand Draft in full and final payment of settlement and she joins the petitioner to pray that FIR in question be quashed.

5. The concerned parties also state that there are some valuables that were seized by the Investigating Officer and are in police custody. The petitioners have agreed that the said articles are also to be released to respondent no.2.

6. Petitioner Nos.1, 2 and 4 are present in Court and are identified by their counsel. It is stated that petitioner No.3 is overseas. However, she has filed her affidavit confirming the said settlement with respondent No.2. The petitioners pray that the FIR in question be quashed.

7. In view of the aforesaid statements made by the concerned parties, this Court considers it apposite to allow the present petition. Accordingly, FIR No.0104/2015, under Sections 498-A/406 of the IPC registered with

Police Station C.R. Park and all proceedings emanating therefrom, are quashed.

8. The concerned parties (petitioner No.1, 2 and 4 and respondent No.2) shall sign this order as an acknowledgement of their statements recorded herein.

9. All articles seized by the Investigating Officer are also directed to be released to respondent no.2.

10. All pending applications are disposed of.

VIBHU BAKHRU, J

NOVEMBER 25, 2019

DR