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

Date of decision: 08.11.2019

+ CRL.M.C. 5309/2019

NIKHIL GUPTA & ORS.

..... Petitioner

Through Mr. Rahul Tewari, Adv.

versus

STATE & ANR.

..... Respondents

Through Mr. Kamal Kr. Ghei, APP for State
W/SI Sanju Rai, Crime Women Cell
Nanakpura
Adv. (appearance not given) for R-2
With respondent no.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. 38427/2019

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

CRL.M.C . 5309/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 163/2017 dated 19.12.2017 registered at Police Station Crime Women Cell Nanakpura 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 23.04.2016 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 28.02.2017.
7. The petitioner and respondent no.2 with the intervention of their well wishers and relatives have entered into an amicable settlement before the Principal Judge, Family Courts, Rohini Courts, Delhi vide order dated 15.11.2018 and settled all their disputes amicably.
8. The complainant is present in person with her counsel and has been identified by W/SI Sanju Rai of Police Station Crime Women Cell Nanakpura and submits that matter has been settled and she does not wish to prosecute the matter any further.
9. The total settlement amount is ₹15,00,000/- (Rupees Fifteen Lakhs only). It is submitted that the respondent no. 2 has already received an amount of ₹10 lakhs (Rupees Ten Lakhs). A demand draft bearing

No.455104 dated 01.10.2019 for the balance amount of ₹5,00,000/- (Rupees Five Lakhs) is handed over to the respondent no.2 today in the Court.

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, FIR No. 163/2017 dated 19.12.2017 registered at Police Station Crime Women Cell Nanakpura and consequent proceedings emanating therefrom are quashed.

12. The petition is allowed accordingly.

13. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 08 2019

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