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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: December 19, 2019

+ W.P.(CRL) 3153/2019

DEVENDER SHARMA

..... Petitioner

Through Mr. Vijay Khanna, Advocate
alongwith petitioners in person

versus

STATE & ANR

..... Respondents

Through Ms. Richa Kapoor, Additional
Standing Counsel for the State
with Ms. Charu Chaudhary and
Ms. Shivani Sharma, Advocates
alongwith SI Maninder Manna,
P.S.: Aman Vihar

Respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Amended memo of parties has been given in the court today itself and same is taken on record.

The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 176/2016, under Sections 498A/406/34 of the Indian Penal Code, 1860, registered at P.S.: Aman Vihar and the proceedings emanating therefrom.

The Investigating Officer, who is present in Court, has identified the petitioners as well as respondent no.2.

The petitioners and respondent no.2 have submitted that they have settled their disputes vide Memorandum of Understanding dated 04.05.2019. The parties have already obtained divorce by mutual consent on 23.11.2019. The settlement amount was Rs. 4,25,000/-, out of which Rs. 1,00,000/- has been paid to respondent no.2 at the time of execution of MoU dated 04.05.2019, Rs. 1,00,000/- has been paid to respondent no.2 at the time of first motion and Rs. 1,25,000/- has further been paid to respondent no.2 at the time of second motion and a demand draft of Rs. 1,00,000/- has been handed over to respondent no.2 today in the court. Copy of the said demand draft has been placed on record.

Respondent no.2 reiterates the aforesaid facts and submits that they have amicably settled their dispute without any pressure or coercion from any source whatsoever. Respondent no.2 has further submitted that she has no objection if the FIR is quashed and the petition is allowed.

In view of the above settlement arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 176/2016, under Sections 498A/406/34 of the IPC, registered at P.S.: Aman Vihar and the proceedings emanating therefrom are quashed.

Petition stands disposed of accordingly.

(BRIJESH SETHI)

JUDGE

DECEMBER 19, 2019/savita