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

Date of decision: 24.10.2019

+ CRL.M.C. 5518/2019 and CRL.M.A. 39190/2019 (Stay)

SH. AJAY SHARMA & ANR.

..... Petitioners

Through: Mr. M.S. Oberoi and Ms. Priyanka
Toppo and Mr. Nitin Bajaj, Advs.

versus

STATE & ANR.

..... Respondents

Through: Mr. Kamal Kr. Ghei, APP for State
W/SI Sumedha, PS – Ashok Vihar

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL.M.A. 39191/2019 (Exemption)

1. Allowed, subject to all just exceptions.
2. This application is, accordingly, disposed of.

CRL.M.C. 5518/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 76/2011 dated 09.08.2011 registered at Police Station – C.A.W./ Nanak Pura 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 9.3.2008 as per Hindu rites and rituals. One child was born out of the wedlock, namely, Pavani.

7. The petitioner No. 1 and respondent no. 2 have entered into an amicable settlement vide settlement deed executed on 19.12.2015 and settled all their disputes amicably.

8. The complainant is present in person in the Court with her counsel and has been identified by SI – Sumedha 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. 76/2011 dated 09.08.2011 registered at Police Station –CAW, Nanak Pura and consequent proceedings arising therefrom are quashed.

11. The petition is allowed accordingly.

12. *Dasti.*

(SURESH KUMAR KAIT)
JUDGE

OCTOBER 24, 2019

PB