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

Date of decision: 01.11.2019

+ CRL.M.C. 5582/2019

DHARMENDER & ORS

..... Petitioners

Through: Mr. Dev Shekhar, Adv. with
Petitioners in person

versus

THE STATE & ANR

..... Respondents

Through:

ASI Chander Shekhar, PS – Sadar
Bazar, Delhi
Mr. Navin, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL. M.A. 39408/2019

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

CRL.M.C. 5582/2019

3. Vide the present petition, the petitioners seek quashing of FIR No. 245/2017, registered at Police Station – Sadar Bazar, Delhi 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 07.02.2013 as per Hindu rites and rituals. One child, namely, Saksham Singh, was born out of this wedlock. Due to extreme incompatibilities between the petitioner no. 1 and respondent no.2, they started living separately from 03.06.2016.

7. The petitioner no. 1 and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide settlement deed dated 30.07.2019 and settled all their disputes amicably.

8. The total settlement amount is ₹3,00,000/-(Rupees Three Lakhs). It is submitted that the respondent No. 2 has already received an amount of ₹2,50,000/- (Rupees Two Lakhs Fifty Thousand). A demand draft bearing No.518830 dated 31.10.2019 for the balance amount of ₹50,000/- (Rupees Fifty 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 SI – Chander Shekhar of Police Station – Sadar Bazar 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. 245/2017, registered at Police Station – Sadar Bazar, Delhi and consequent proceedings arising therefrom are quashed.

12. The petition is allowed accordingly.

13. *Dasti.*

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 01, 2019

PB