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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 39/2019**

**OM DUTT GAUTAM & ORS** ..... Petitioners  
Through: Mr. Dharmendra Basoya,  
Advocate

versus

**STATE ( GOVT OF NCT OF DELHI) & ANR..... Respondents**

Through: Mr. Panna Lal Sharma, APP  
with SI Sonu Singh,  
PS:Gazipur, Delhi  
Mr. Kulwinder Singh,  
Advocate for respondent No.2

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

% **08.01.2019**

**CRL.M.A. 170/2019**

Allowed, subject to all just exceptions. The application is disposed of.

**CRL.M.C. 39/2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0408/2016, under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Ghazipur, East Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2 as well as their respective counsel submitted that the matter was settled on their

own will, without any force or coercion, before the Mediation Centre, Karkardooma Courts, Delhi on 14.9.2018, in pursuance whereof, the marriage between the petitioner No.1 and respondent No.2 stands dissolved by a decree of divorce by mutual consent vide judgment dated 4.12.2018. Respondent no.2 submitted that in terms of the said Settlement, the petitioners were to pay Rs.13,00,000/- to her, of which Rs.10,00,000/- has been paid and now the balance amount of Rs.3,00,000/- is required to be paid and in case the said amount is paid, she has no objection to the petition being allowed and the FIR being quashed.

3. Learned counsel for the petitioners has brought a Demand Draft bearing No.990116, dated 4.12.2018, drawn on Punjab National Bank, for an amount of Rs. 3,00,000/-, which has been handed over to the respondent No.2 today in the Court.

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified about the said Settlement.

5. Respondent no.2 further submitted that in view of the payment of the balance amount, the petition may be allowed and the FIR may be quashed.

6. In view of the aforesaid circumstances and the 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. 0408/2016, under Sections 498A/406/34 of the IPC, registered at P.S.: Ghazipur, East, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

**CHANDER SHEKHAR, J**

**JANUARY 08, 2019**

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