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

+ **CRL.M.C. 119/2019 & CRL.M.A.509/2019**

SAURABH MISHRA & ORS. Petitioners

Through: Mr. Lave Kumar Sharma and
Mr.Sumit, Advs. with
petitioners in person

versus

STATE & ANR. Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Neeraj Kumar, PS New
Ashok Nagar, Delhi
Ms.Shacini Srivastav, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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11.01.2019

CRL.M.A. 509/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 119/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0102/2017 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station New Ashok Nagar, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned counsel for the parties submitted that the parties have entered into a

settlement agreement dated 22.5.2018 in pursuance whereof, the marriage between petitioner no.1 and respondent no.2 stands dissolved vide a decree of divorce dated 19.12.2018.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties.

4. The petitioners and the respondent No.2, who is present in the Court with her brother, stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioners have to pay the balance amount of Rs.1,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.1,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.499225 dated 10.01.2019 for an amount of Rs.1,00,000/-, which is handed over to the respondent No.2 in Court. The parties submitted that in view of the payment of the balance amount as well as in the interest of justice, the aforesaid petition may be allowed.

6. In view of the aforesaid circumstances, 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.0102/2017

under Sections 498-A/406/34 of the IPC, registered at Police Station New Ashok Nagar, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 11, 2019/rk