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

Date of decision: 30.09.2019

+ CRL.M.C. 4965/2019

JAIKARAN & ORS.

..... Petitioners

Through: Mr. Krishan Sharma, Adv. with
Petitioner No. 1 in person

versus

STATE & ANR.

..... Respondents

Through: Mr. Izhar Ahmad, APP for State with
ASI Jitender Singh, PS – Kanjhawala
Mr. Vimal Puggal, 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. 37210/2019

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

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3. Vide the present petition, the petitioners seek quashing of FIR No. 464/2018 dated 19.11.2018 registered at PS – Kanjhawala 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.

6. With the consent of the counsel for the parties, the present petition is taken up for final disposal.

7. The petitioner no.1 and respondent no.2 got married on 14.07.2013 as per Hindu rites and rituals. Two children were born out of this wedlock, namely, Pritam and Somiya. The difference reached to the extent that respondent no. 2 on 19.11.2018 lodged FIR against the petitioners.

8. The petitioner and respondent no. 2 have entered into an amicable settlement vide settlement deed dated 26.11.2018 and settled all their disputes amicably. The parties have agreed to dissolve their marriage by mutual consent in accordance with law, as provided under Section 13B of HMA 1955. The total settlement amount is ₹5,50,000/- (Rupees Five Lakhs Fifty Thousand). It is submitted that the respondent no. 2 has already received an amount of ₹4 lakhs (Rupees Four Lakhs). A demand draft bearing No.000863 dated 24.09.2019 for the balance amount of ₹1,50,000/- (Rupees One Lakh 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 ASI Jitendra Singh of Police Station - Kanjhawala 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. 464/2018 dated 19.11.2018 registered at PS – Kanjhawala and consequent proceedings arising therefrom are quashed.

12. The petition is allowed accordingly.

13. Order *dasti*, under the signature of Court Master.

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 30, 2019

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