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

+ **CRL.MC. 408/2019**

ANAND KUMAR & ORS. Petitioners

Through: None

versus

STATE & ORS Respondents

Through: Mr.K.K. Ghai, APP for State

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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04.02.2019

1. The petitioners have filed the present petition under Section 482 of Code of Criminal Procedure, 1973 for the quashing of FIR No. 517/2003 dated 16.10.2003, under Sections 498A/406 of Indian Penal Code, 1860 ('IPC') registered at Police Station Badarpur, District South East and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion, vide Settlement dated 15.03.2017 before the Mediation Centre, Saket Courts, New Delhi, in terms whereof, the petitioner No.1 had to pay a total sum of Rs.2,30,000/- in full and final settlement to the respondent No.2. It is further submitted that out of Rs.2,30,000/-, an amount of Rs.1,18,000/- has already been paid to respondent No.2. It is also submitted that the marriage between petitioner No.1 and respondent

No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 08.05.2018.

3. Respondent No.2 who is present in the Court, has reiterated the aforesaid facts and submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioner No.1 makes the payment of balance amount of Rs.1,12,000/- to her, which is required to be paid as per the settlement.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.004889, dated 04.10.2018, re-validated on 30.01.2019, for an amount of Rs.1,12,000/-, which has been handed-over to respondent No.2 today in court.

5. 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.

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. 517/2003 dated 16.10.2003, under Sections 498A/406 of IPC registered at Police Station Badarpur, District South East and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J.

FEBRUARY 04, 2019/neelam