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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 601/2019**

RAJESH KUMAR & ORS Petitioners
Through: Mr. Ramesh Saraf, Advocate
versus

THE STATE & ANR Respondents
Through: Mr. Ashish Dutta, APP
Mr. Kumar Gaurav, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **04.02.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.4/2009, under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Mayur Vihar, Phase-I, Delhi 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 5.3.2016 before the Delhi Mediation Centre, Karkardooma Courts, Delhi, in terms whereof the petitioner No.1 had to pay Rs.3,00,000/- to the respondent No.2. It is further submitted that out of Rs.3,00,000/-, an amount of Rs.2,50,000/- 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 2.1.2017.

3. Respondent No.2, who is present in 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 pays the balance amount of Rs.50,000/- 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.908082, dated 25.1.2019, drawn on State Bank of India, for an amount of Rs.50,000/-, which has been handed over to the respondent No.2 today in the 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. 4/2009, under Sections 498A/406/34 of the IPC, registered at P.S.: Mayur Vihar, Phase-I, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

FEBRUARY 04, 2019/tp