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

+ **CRL.M.C. 854/2019 & CRL.M.A.3426/2019**

SUDESH SHARMA & ORS

.... Petitioners

Through: Mr. Sagar Hajela and
Mr. Rishabh Singh, Advs. with
the petitioners in person

versus

STATE & ANR

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with IO Birendra Singh, PS
Chhawala, Delhi
Mr. Narender Singh, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **15.02.2019**

CRL.M.A. 3426/2019 (for exemption)

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

CRL.M.C. 854/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0010/2018 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Chhawala, 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 Memorandum of Settlement dated 11.07.2018 in pursuance whereof, the marriage of petitioner No.1 and the respondent No.2 has been dissolved vide a decree of divorce dated 13.12.2018.

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, present in the Court, 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.50,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the balance payment of Rs.50,000/- in terms of the settlement arrived at between the parties, she has no objection to the petition being allowed and quashing of the FIR.

5. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.083413 dated 14.02.2019 for an amount of Rs.50,000/- which has been handed over to the respondent No.2 today in the 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 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.0010/2018 under Sections 498-A/406/34 of the IPC, registered at Police Station Chhawala, 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

FEBRUARY 15, 2019/rk