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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 965/2019**

KUNAL AGGARWAL & ORS Petitioners
Through: Mr. Shalabh Gupta, Advocate

versus

STATE & ANR Respondents
Through: Mr. Kamal Kumar Ghai, APP
Mr. Dhruv Bhagat, Advocate
for respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **20.02.2019**

CRL.M.A. 3842/2019

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 965/2019 & CRL.M.A.3843/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.88/2018, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Model Town, 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 10.1.2019 before the Family Courts,

Rohini, Delhi, in terms whereof the petitioner No.1 had to pay Rs.65,00,000/- to the respondent No.2. It is further submitted that out of Rs.65,00,000/-, an amount of Rs.40,00,000/- has already been paid to respondent No.2. It is also submitted that the marriage between the 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 7.2.2019.

3. Respondent No.2, who is present in Court along with her father, 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 petitioners pay the amount of Rs.25,00,000/- to her, which is required to be paid as per the Settlement arrived at between the parties.

4. Learned counsel for the petitioners submitted that the petitioners have brought two Demand Drafts, bearing No.774144, dated 19.2.2019, drawn on Punjab National Bank, for an amount of Rs.5,00,000/- and No.170500, dated 19.2.2019, drawn on Kotak Bank, for an amount of Rs.20,00,000/-, which have 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 about the Settlement arrived at between the parties.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 88/2018, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Model Town, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. The pending application is also disposed of.

CHANDER SHEKHAR, J

FEBRUARY 20, 2019

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