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

+ **CRL.M.C. 1327/2019 & CRL.M.A. 5283/2019**

MITHUN DATTA SENAPATI & ORS. Petitioners

Through: Ms. Seema Sharma and Ms. Nandita
Talukdarr, Advs. with the petitioner
Nos.1 and 2 in person

versus

STATE & ANR Respondents

Through: Mr.Panna Lal Sharma, APP with IO
in person
Ms. Neha Tandon and Mr. R.B.
Phookan and Ms. Arpita Datta, Advs.
for respondent No.2 with the
respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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12.03.2019

CRL.M.A. 5283/2019 (for exemption)

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

CRL.M.C. 1327/2019

1. This petition is for quashing of FIR No.234 of 2013 dated 3.7.2013 lodged in Police Station Sarita Vihar, New Delhi. The FIR arises out of matrimonial relationship between the petitioner-husband and the respondent No.2-wife (complainant).
2. The parties are present in Court and their counsel have stated that the parties have entered into a Settlement dated 14.7.2017 before the Family

Court, Saket. Pursuant to the settlement, a decree of divorce has also been granted on 11.4.2018. The agreement records that the petitioners would pay a sum of Rs.34 lacs to the respondent No.2. Out of the said amount, a sum of Rs.22 lacs has already been paid to the respondent No.2. The balance amount of Rs.12 lacs has been handed over by the learned counsel for the petitioners to the learned counsel for the respondent No.2, by way of a demand draft bearing No.413273 dated 8.3.2019, a copy whereof is hereby taken on record.

3. Investigating Officer (I.O.) is also present and the I.O. identifies the petitioner Nos.1 & 2 and the respondent No.2, who are present in the Court and also verifies the contents of the petition.

4. The parties have confirmed before the Court that they have entered into the settlement on their own free will and volition and were not subjected to pressure or coercion, in any manner.

5. In these circumstances, no useful purpose would be served by keeping the FIR pending. Consequently, the petition is allowed and the FIR No.234 of 2013 dated 3.7.2013 lodged in Police Station Sarita Vihar, New Delhi, as well as any proceedings arising therefrom, are quashed.

6. The petition stands disposed of.

PRATEEK JALAN, J

MARCH 12, 2019/rk