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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1343/2019 & CRL.M.A. 5383/2019
KAPIL DAWRA & ORS. Petitioners

Through: Mr. Hemant Kumar, Adv. with
the petitioners in person

versus

STATE & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Surender Singh, PS
Dwarka Sector-23, Delhi
SPA of R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.05.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0038/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Dwarka Sector-23, New Delhi and the proceedings emanating therefrom.
2. Special Power of Attorney Holder, Mr. Pratul Madan, brother of the respondent No.2 is present in the Court.
3. The petitioners and SPA holder of the respondent No.2 as well as the learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Family Courts, Dwarka Court, New Delhi on 9.3.2018 as well as vide a Memorandum of Understanding dated 1.5.2018, in terms whereof the parties agreed to settle their disputes including the quashing of the aforesaid FIR and

the proceedings emanating therefrom.

4. Learned counsel for the petitioners submitted that the SPA holder of the respondent No.2 has already received a sum of Rs.5.5 lacs in terms of the settlement arrived at between the parties in CrI.M.C.2469/2018, FIR No.400/2016, under Sections 354-A/506/509/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Dwarka (South), New Delhi, and hence, the present petition may be allowed and the FIR may be quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners and has also verified the settlement arrived at between the parties as well as the Special Power of Attorney executed in favour of the brother of the respondent No.2.

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.0038/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Dwarka Sector-23, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. Pending application also stands disposed of in the above terms.

CHANDER SHEKHAR, J

MAY 20, 2019/rk