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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1444/2019**

NITIN GOEL & ORS.

.... Petitioners

Through: Mr. Sameer Nandwani,
Advocate

versus

STATE & ANR.

.... Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Sukhdham, PS:Uttam
Nagar, Delhi
Mr. Mukesh Kumar, proxy
counsel for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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18.03.2019

CRL.M.A. 5762/2019

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

CRL.M.C. 1444/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.646/2017, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Uttam Nagar, 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 before the Judge, Family Court, Dwarka, New Delhi, vide Settlement Deed dated 19.12.2018, in terms whereof petitioner No.1 had agreed to pay Rs.10,00,000/- to the respondent No.2. It is further submitted that out of Rs.10,00,000/-, an amount of Rs.8,00,000/- 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 31.1.2019.

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 petitioners pay the amount of Rs.2,00,000/- 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 Manager's cheques bearing Nos.045955, dated 18.2.2019, drawn on HDFC Bank, for an amount of Rs.1,00,000/- and 045965, dated 19.2.2019, drawn on HDFC Bank for an amount of Rs.1,00,000/-, 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 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. 646/2017, under Sections 498-A/406 of the IPC, registered at P.S.: Uttam Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 18, 2019

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