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

+ CRL.M.C. 4157/2019 and CRL.M.A. 34183/2019

SH. AJAY SETHI & ORS. Petitioners

Through: Mr. Subhash Kumar Jha, Adv.

versus

STATE & ANR. Respondents

Through: Mr. M.S. Oberoi, APP for State with
Inspector Asha, PS – CWC
Nanakpura

Mr. Vinay Kumar Verma, Adv. for
R-2 with Ms. Moniya, R-2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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26.08.2019

Vide the present petition, the petitioner seeks quashing of FIR No. 026/2016 registered at PS – CWC/ Nanakpura Pura, New Delhi for the offences punishable under Sections 498A/406/34 of IPC on the ground of compromise taken place between the parties.

Learned counsel on behalf of the petitioner submits that the matter has been settled before the Mediation Centre, Saket District Court. As per the settlement, the petitioner has agreed to pay an amount of Rs.2,50,000/- (two lakh fifty thousand) in favour of the complainant. An amount of Rs.2 lakh (two lakh) has already been given to the complainant and an amount of Rs.50,000/- (fifty thousand) has been paid in Court vide DD No. 027762 drawn on Oriental Bank of Commerce, Supala/1103/Palam, Mahavir Enc. in favour of Moniya, which the complainant has accepted without any protest.

Inspector Asha, the IO of the case who is present in Court has identified the complainant. Learned APP for the State has informed that in addition to the offences mentioned above, the learned trial Court has added Section 377 IPC against the petitioner.

Keeping in view the fact that there is no child born out of the wedlock of the petitioner and the complainant and the parties have arrived at a settlement. The complainant has accepted the amount paid by the petitioner and condoned all the allegations against the petitioner, therefore, no useful purpose will be served in continuance of the proceedings.

It would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question. Consequently, FIR No. 026/2016 registered at PS – CWC/ Nanak Pura for the offences punishable under Section 498A/406/34 IPC and proceedings pursuant thereto are hereby quashed.

It is ordered accordingly.

The petition is disposed of.

Copy of this order be given *dasti* under the signature of the Court Master.

SURESH KUMAR KAIT, J

AUGUST 26, 2019

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