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

+ CRL.M.C. 667/2018

RINKU & ORS

..... Petitioners

Through: Mr. B.K. Singh & Mr.
Shailendra Singh, Advs.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Gulshan Kumar, Ms. Puja
Kumar, Advs. For R2 with SPA
of R2.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.10.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.904/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom.
2. Special power of attorney executed by respondent No.2 in favour of her husband, namely, Manish Kashyap already filed on record.
3. The petitioners and Manish Kashyap, Special Power of Attorney Holder of the respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Family Court, Dwarka, New Delhi on 27.4.2017, in pursuance whereof, the marriage of the petitioner No.1 and the

respondent No.2 stands dissolved vide decree of divorce dated 21.11.2017.

4. Special power of attorney holder of respondent No.2 reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.50,000/- to the respondent No.2 in terms of the settlement arrived at between the parties. He further submitted that in case the petitioners make the payment of the balance amount of Rs.50,000/-, the respondent No.2 has no objection to the petition being allowed and the FIR being quashed as is also evident from the order dated 11.10.2019.

5. Learned counsel for the petitioners submitted that the petitioners have brought two demand drafts bearing No.757942 dated 11.10.2019 for an amount of Rs.25,000/- and No.757947 dated 11.10.2019 for an amount of Rs.25,000/- which have been handed over to the Special Power of Attorney Holder of the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount, the present petition may be allowed and the FIR may be quashed.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as special power of attorney holder of the respondent No.2 and has also verified the settlement arrived at between the parties.

7. 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.904/2015, under Sections 498-A/406/34 of the IPC, registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 17, 2019/k