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

+ **W.P.(CRL) 2430/2019**

SH. ROHIT KUMAR & ORS.

..... Petitioners

Through: Ms Gyan Mitra, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Ms Saloni Jain, Ms Shivani Sharma,
Advocates for Ms Richa Kapoor,
ASC for State and PSI Ajay Kumar,
PS Harsh Vihar and ASI Bandana
1956/NE, PS Harsh Vihar.
Ms Ranjana Kumari, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.09.2019

CRL.M.A. 34762/2019

1. Allowed, subject to all just exceptions.

W.P.(CRL) 2430/2019

2. The petitioners have filed the present petition, *inter alia*, praying that FIR No.0391/2018, under Section 498-A/406/34 of the Indian Penal Code, 1860 (IPC) and Section 4 of the Dowry Prohibition Act, 1961, registered with P.S. Harsh Vihar, be quashed.

3. The petitioners and respondent no.2 are present in the Court. Respondent no.2 is identified by the Investigating Officer and the petitioners

have been identified by their counsel.

4. The petitioners and respondent no.2 states that the disputes were referred by the Family Court for counselling and a settlement was arrived at in the said proceedings. In terms of the said settlement, the petitioners had agreed to pay a sum of ₹6 lakhs in full and final settlement of the claims raised by respondent no.2. The said sum was to be paid in three instalments. The first instalment of ₹2 lakhs was to be paid at the time of recording of the first motion and second instalment of ₹2 lakhs was to be paid at the time of recording of second motion for a decree of divorce. The third instalment was to be made, thereafter.

5. Respondent no.2 states that the first two instalments were duly paid by the petitioners and respondent no.2 and petitioner no.1 have since been divorced. She states that she does not wish to pursue the FIR lodged against the petitioners and the parties have settled their disputes.

6. The petitioners have today handed over a demand draft for a sum of ₹2 lakhs (DD No.385852 dated 31.08.2019) drawn on Punjab National Bank. Respondent no.2 has accepted the said demand draft in full and final settlement of all her claims. Both the parties (the petitioners and respondent no.2) state that they do not have any further grievance against each other.

7. In view of the above, the present petition is allowed and FIR No.0391/2018 under Section 498-A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961, registered with P.S. Harsh Vihar and all proceedings emanating therefrom, are quashed.

8. The petitioners and respondent no.2 shall sign this order as an acknowledgment of their statements recorded herein.

9. The petition is disposed of.

SEPTEMBER 02, 2019/MK

VIBHU BAKHRU, J