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

Date of decision: 31.10.2019

+ CRL.M.C. 4559/2019

RAKESH KUMAR KWATRA & ORS Petitioners
Through: Mr. N.K. Mishra and Ms. Alka, Advs.

versus

THE STATE & ANR Respondents
Through: Mr. Izhar Ahmad, APP for State.
Mr. Manish Bansal and Ms. Aarti
Tyagi, Advs. for R-2 with R-2 in
person

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

1. Vide the present petition, the petitioners seek quashing of FIR No. 26/2013 dated 23.01.2013 registered at Police Station – South Rohini and consequent proceedings arising therefrom.
2. Notice issued.
3. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

4. The petitioner no.1 and respondent no.2 got married on 23.06.2010 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioner no. 1 and respondent no.2, they started living separately from 17.04.2011.
5. The petitioner no. 1 and respondent no.2 have entered into an amicable settlement vide settlement deed dated 29.01.2019 and settled all their disputes amicably.
6. The complainant is present in person with her counsel and for her identification purposes, original of her Aadhaar (bearing No. 7698 4596 0007) has been seen and returned. It is submitted that matter has been settled and she does not wish to prosecute the matter any further.
7. The total settlement amount is ₹7,00,000/-(Rupees (Seven Lakhs). It is submitted that the respondent No. 2 has already received an amount of ₹5 lakhs (Rupees Five Lakhs). A demand draft bearing No.870701 dated 30.08.2019 for the balance amount of ₹2,00,000/- (Rupees Two Lakhs) is handed over to the respondent No. 2 today in the Court.
8. Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

9. For the reasons afore-recorded, the FIR No. 26/2013 dated 23.01.2013 registered at Police Station – South Rohini and consequent proceedings arising therefrom are quashed.

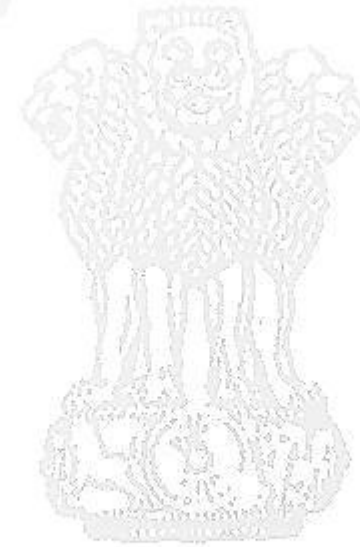
10. The petition is allowed accordingly.

11. *Dasti.*

(SURESH KUMAR KAIT)
JUDGE

OCTOBER 31, 2019

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न्यायमेव जयते