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

Date of decision: 13.09.2019

+ **CRL.M.C. 4591/2019**

AJAY SEHGAL & ORS Petitioners

Through: Mr. Nishant Sharma, Adv.

versus

STATE & ANR Respondents

Through: Mr. Hirein Sharma, APP for State
with ASI Chandar Pal Singh, PS –
Farsh Bazar, New Delhi

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL. M.A. 35696/2019

1. Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.C. 4591/2019

2. Vide the present petition, the petitioners seek quashing of FIR No. 49/2018 dated 16.02.2018, registered at Police Station - Farsh Bazar, New Delhi instituted for the offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings arising therefrom.

3. Notice.

4. 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.

5. The petitioner no.1 and respondent no.2 got married on 09.11.2013 as per Hindu rites and rituals. One girl child was born out of the wedlock, namely, Pehal Sehgal. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 13.04.2017.

6. Divorce has taken place between the petitioner No. 1 and respondent no.2 on 11.02.2019. Matter was referred to mediation centre where a settlement deed dated 08.06.2018 was executed. Total settlement amount came to ₹4,50,000/-. It is submitted that part payment of the settlement amount is already received by the respondent No. 2. The balance amount of ₹50,000/- in cash is handed over to the respondent No. 2 today in Court.

7. The complainant is present in person with her counsel and has been identified by SI ASI Chandar Pal Singh, Police Station - Farsh Bazar and submits that matter has been settled and she does not wish to prosecute the matter any further.

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. 49/2018 dated 16.02.2018 registered at Police Station - Farsh Bazar, New Delhi instituted for the offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings therefrom are quashed.

10. The petition is allowed accordingly.

11. Order *dasti*, under the signatures of Court Master.

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 13, 2019

PB