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

Date of decision: 16.09.2019

+ CRL.M.C. 4629/2019

CHANDAN KUMAR MAJUMDAR Petitioner

Through: Mr. B.L. Yadav, Adv.

versus

STATE & ANR. Respondents

Through: Mr. Izhar Ahmed, APP for State with
SI Shashi Kant, PS – Seemapuri,
Delhi

Mr. Vikas Dudeja and Mr. M.K.
Saroja, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

CRL.M.A. 35816/2019 (Exemption)

1. Allowed, subject to all just exceptions.

This application is, accordingly, disposed of.

CRL.M.C. 4629/2019

2. Vide the present petition, the petitioner seeks direction thereby quashing FIR No. 198/2012 dated 07.06.2012, registered at PS – Seema Pur, Delhi for the offences punishable under Sections 498A/406/34 IPC and Section 4 Dowry Prohibition Act and all other proceedings emanating

therefrom.

3. Notice issued.

4. Notice is accepted by the 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 05.08.2010 as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 08.03.2011.

6. The petitioner and respondent no.2 entered into an amicable settlement vide mediation settlement dated 04.05.2018 and settled all their disputes amicably. The total settlement amount is ₹7,50,000/-(Rupees Seven Lakhs and Fifty Thousand only) to be paid to the wife towards full and final settlement of all her claims including *stridhan*, permanent alimony & maintenance (present, past and future) etc. Learned counsel submits that the respondent no. 2 has already received an amount of ₹5 lakhs. A demand draft bearing No.150023 dated 19.08.2019 for the balance amount of ₹2,50,000/- is handed over to the respondent no. 2 today in the Court.

7. The complainant is present in person with her counsel and has been

identified by SI Shashi Kant, PS – Seemapuri, Delhi 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 petitioner any further.

9. For the reasons afore-recorded, the FIR No. 198/2012 dated 07.06.2012, registered at PS – Seema Pur, Delhi for the offences punishable under Sections 498A/406/34 IPC and Section 4 Dowry Prohibition Act and consequent proceedings therefrom are quashed.

10. The petition is allowed accordingly.

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

(SURESH KUMAR KAIT)
JUDGE

SEPTEMBER 16, 2019

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