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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 697/2018**
KUNAL

..... Petitioner
Through: Mr. Pradeep Ahlawat, Adv.
with the petitioner in person

versus

THE STATE & ANR Respondents
Through: Mr. Kamal Kumar Ghei, APP
with the IO in person
Mr. Anuj Aggarwall, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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02.05.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.186/2009, under Sections 498-A/406/328 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Aman Vihar, New Delhi and the proceedings emanating therefrom.
2. The petitioner and 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 vide a Memorandum of Settlement dated 30.5.2017, in pursuance whereof, the marriage of the petitioner and the respondent No.2 stands dissolved vide decree of divorce dated 12.1.2018.
3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has to pay the balance amount of Rs.4 lacs to her in terms of the settlement arrived at

between the parties. Respondent No.2 further submitted that in case the petitioner makes the payment of the balance amount of Rs.4 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that the petitioner has brought a demand draft bearing No.379463 dated 29.4.2019 for an amount of Rs.4 lacs which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioner submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

6. 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.186/2009, under Sections 498-A/406/328 of the IPC, registered at P.S.: Aman Vihar, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 02, 2019/rk