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

Date of decision: 18.12.2019

+ CRL.M.C. 5762/2019 and CRL.M.A. 40136/2019

HARMINDER SINGH KHATRI & ORS Petitioners
Through: Mr. Prag Chawla and Mr. C.R. Lal,
Advs.

versus

STATE & ANR Respondents
Through: Mr. Izhar Ahmed, APP for State with
SI Dharamvir Singh, PS – CWC
Nanak Pura, New Delhi
Mr. S.S. Ahluwalia and Mr. Mohit
Barawal, Adv. for R-2

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.66/2009 dated 13.05.2009 registered at Police Station – CWC Cell, Nanak Pura, New Delhi 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 18.04.2001, as per Hindu rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from 21.09.2006.

5. The petitioner No. 1 and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide settlement deed dated 21.12.2009 and settled all their disputes amicably.

6. The complainant is present in person with her counsel and has been identified by SI - Dharamvir Singh of Police Station - CWC Nanak Pura and submits that matter has been settled and the petitioner has agreed to pay an amount of Rs.25,00,000/- (Rupees Twenty-Five Lakhs) and that the respondent No. 2 does not wish to prosecute the matter any further.

7. 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.

8. For the reasons afore-recorded, the FIR No. 66/2009 dated 13.05.2009 registered at Police Station – CWC Cell, Nanak Pura, New Delhi and consequent proceedings arising therefrom are hereby quashed.

9. It is not in dispute that the petitioner had deposited an amount of Rs.25,00,000/- (Rupees Twenty-Five Lakhs) at the time of granting bail by this Court. Since the FIR and emanating proceedings thereto are hereby quashed against the petitioner, therefore, the Registry of this Court is directed to release an amount of Rs.25,00,000/- (Rupees Twenty-Five Lakhs) with interest accrued thereon, if any, in favour of the respondent No. 2/ complainant on taking steps by her.

10. The petition is allowed accordingly. Pending application also stands disposed of.

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

(SURESH KUMAR KAIT)
JUDGE

DECEMBER 18, 2019

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