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

Date of decision: 18.11.2019

+ CRL.M.C. 5834/2019

MANIK GUGLANI & ORS

..... Petitioners

Through Mr. Sanjay Padam Jain, Adv. with
petitioners in person

versus

THE STATE & ANR

..... Respondents

Through Mr. Izhar Ahmed, APP for State
ASI Vikram, PS Hari Nagar
Mr. Mohinde Dhawan, Adv. 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. 40460/2019

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, the petitioners seek quashing of FIR No.59/2016 dated 12.01.2016 registered at Police Station Hari Nagar and consequent proceedings arising therefrom.
4. Notice issued.

5. 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.

6. The petitioner no.1 and respondent no.2 got married on 26.06.2012 as per Hindu rites and rituals. One female child was born out of the wedlock namely Hargun. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately.

7. The petitioner no.1 and respondent no.2 have entered into an amicable settlement vide settlement deed dated 12.07.2019 before Delhi Mediation Centre, Tis Hazari Courts, Delhi and as per the settlement, the petitioners agreed to pay a sum of ₹15 lacs to the respondent no.2 as full and final settlement against all her claims and out of the total settled amount, ₹10 lacs has already BEEN paid by the petitioners. Petitioners have handed over the remaining amount of ₹5 lacs by way of a demand draft bearing no.322740 dated 16.11.2019 drawn on Canara Bank, to the respondent no.2 in the Court today.

7. The complainant is present in person with her counsel and has been identified by ASI Vikram, P.S. Hari Nagar and admits the factum of settlement arrived at with the petitioners and that she has received the entire

settled amount. She further submits that in view of the settlement, 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.59/2016 dated 12.01.2016 registered at Police Station Hari Nagar and consequent proceedings arising therefrom are quashed.

10. The petition is allowed accordingly.

11. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

NOVEMBER 18, 2019

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