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

+ W.P.(CRL) 3346/2019

BHARAT SINGHAL

..... Petitioner

Through: Ms Deepika Sharma, Advocate.

versus

STATE & ANR.

..... Respondents

Throughs: Ms Shivani Sharma, Advocate for Ms
Richa Kapoor, ASC for State.

SI Vinit Kumar, PS Prashant Vihar.

Ms Aanchal Budhraja, Advocate R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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29.11.2019

1. The petitioner has filed the present petition, *inter alia*, praying that FIR bearing no. 231/2018 under Sections 498A/406/34 of the IPC, registered with Police Station Prashant Vihar and all other proceedings emanating therefrom, be quashed.
2. The FIR in question was filed at the instance of respondent no.2.
3. Respondent no.2 is present in Court and is identified by the Investigating Officer. She states that the said FIR was filed in view of the matrimonial disputes that had arisen between her and the petitioner.
4. She states that she has since resolved all her disputes with the petitioner in terms of the agreement dated 03.07.2019 arrived at before the Delhi Mediation Centre, Rohini District Courts, New Delhi. In terms of the settlement, the petitioner had agreed to pay a sum of ₹11,00,000/- to

respondent no.2. Respondent no.2 acknowledges that a sum of ₹8,00,000/- had been received by her. She states that with the receipt of the balance amount of ₹3,00,000/-, she would have no further claims against the petitioner. She also states that she does not have any grievance against other persons (family members of the petitioner), who are accused in the FIR in question.

5. The learned counsel appearing for the State submits that since all the accused have not been made a party to the present petition, therefore, it is necessary to implead them. She submits that an FIR cannot be partially quashed.

6. Considering the statement made by respondent no.2 that she does not wish to pursue the matter against the petitioner as well as any other accused and considering her statement that the FIR in question was filed in view of the matrimonial disputes that had arisen between her and the petitioner, this Court does not consider it apposite other accused be impleaded.

7. The petitioner is also present in Court and is identified by his counsel. The petitioner has handed over a Manager's Cheque for a sum of ₹3,00,000/- drawn on HDFC Bank to respondent no. 2 and a photocopy of the said cheque has been handed over to the Court and is taken on record.

8. Respondent no.2 has handed over keys of certain properties to the petitioner in terms of the settlement arrived at between them. Both the parties (petitioner and respondent no.2) state that the settlement arrived at between them has been fully implemented and neither party has any grievance against each other or their respective family members.

9. In view of the statements made by the concerned parties (petitioner and respondent no.2), this Court considers it apposite to allow the present petition.

10. Accordingly, FIR bearing no. 231/2018 under Sections 498A/406/34 of the IPC, registered with Police Station Prashant Vihar and all other proceedings emanating therefrom, are quashed. It is clarified that the FIR in question stands quashed in respect of other accused as well, notwithstanding that they are not parties to this petition.

11. The concerned parties (petitioner and respondent no.2) shall sign this order as an acknowledgement of their statements recorded herein.

NOVEMBER 29, 2019/RK

VIBHU BAKHRU, J