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

\+ CRL.M.C. 995/2018

SIDHARTH SAINI & ORS ..... Petitioners

Through: Mr. Jatin Rajput, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. Ashish Dutta, APP with WSI Meetu, PS:Sunlight Colony, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% 06.05.2019

Crl.M.A.9730/2019

In view of the cause submitted, the application is allowed and the matter is taken up for hearing today. The application is accordingly disposed of.

CRL.M.C. 995/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0209/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sunlight Colony, Delhi and the proceedings emanating therefrom.

2. Petitioner No.4 has executed a Special Power of Attorney (SPA) in favour of her father, petitioner No.2, who represents her.

3. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Mediation Centre, Saket Courts, Delhi on 22.3.2017, in terms whereof petitioner No.1 had agreed to pay Rs.5,50,000/- to the respondent No.2. It is further submitted that out of Rs.5,50,000/-, an amount of Rs.4,00,000/- has already been paid to respondent No.2. It is also submitted that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 8.12.2017.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioners pay the balance amount of Rs.1,50,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.837866, dated 26.4.2019, drawn on IndusInd Bank, for an amount of Rs.1,50,000/-, which has been handed over to the respondent No.2 today in the Court.

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

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 0209/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Sunlight Colony, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 06, 2019
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