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

+ **CRL.M.C. 1660/2018 & CrI.M.A.37787/2019**

VINOD KUMAR

..... Petitioner

Through: Mr. Abid Ibrahim, Advocate
with petitioner in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondent

Through: Mr. Raghuvinder Verma, APP
with SI Manoj Kumar, P.S.
Sangam Vihar.
Mr. Abdul Kalam Yusuf,
Advocate for R-2 with R-2 in
person.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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29.11.2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as by the learned counsel for respondent No.2.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.13/2015 dated 10.01.2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sangam Vihar, New Delhi and the proceedings emanating therefrom.

4. Response by way of affidavit as well as proof of identity on behalf of respondent No.2 stands filed.

5. 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 settlement dated 31.08.2015 recorded at Counselling Cell, Family Court, Saket Court Complex, New Delhi, in pursuance whereof, the marriage of the petitioner and the respondent No.2 stands dissolved vide decree of divorce dated 29.09.2016.

6. 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.80,000/- 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.80,000/-, she has no objection to the petition being allowed and the FIR being quashed.

7. The petitioner has handed over an FDR bearing EM/TDR/J No. 036380 for the amount of Rs.80,000/- in the name of Master Rishab to respondent No.2 in the Court, in terms of settlement dated 31.08.2015.

8. Learned counsel for the petitioner submitted that in view of the handing over of the FDR to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

10. 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.

11. 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.13/2015 dated 10.01.2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sangam Vihar, New Delhi, and the proceedings emanating therefrom are quashed.

12. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 29, 2019

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