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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2739/2018
SANJEEV @ SANJU GUPTA & ANRPetitioners
Through: Mr. S.D. Pushkar, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR
..... Respondents
Through: Mr. Amit Chadha, APP with
ASI Vijay Pal Singh, PS:CWC,
Nanak Pura, Delhi
Mr. Raj Kumar, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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19.09.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.03/2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: CAW Cell, Nanak Pura, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2. as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Mediation Centre, Dwarka Courts, Delhi on 22.10.2016, in terms whereof petitioner No.1 had agreed to pay Rs.3,00,000/- to the respondent No.2. Learned counsel for the

respondent No.2 submitted that respondent No.2 and her sister, on their own, have stated that they have settled the matter vide settlement dated 22.10.2016 in their signed language.

3. Mr. Amit Chadha, learned APP has assisted the Court by verifying from the petitioners and respondent No.2 as well as their respective counsel about the settlement.

3. It is further submitted that out of Rs.3,00,000/-, an amount of Rs.2,75,000/- 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 10.7.2017.

4. Respondent No.2, who is present in Court along with her sister, 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 sum of Rs.25,000/- as per the settlement.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.278202, dated 17.9.2019, drawn on Allahabad Bank, for an amount of Rs.25,000/-, 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 settlement.

7. 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.03/2013, under Sections 498-A/406/34 of the IPC, registered at P.S.: CAW Cell, Nanak Pura, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

SEPTEMBER 19, 2019

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