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

+ **CRL.M.C. 3875/2018**

RAJAT ADLAKHA & ORS.

.... Petitioners

Through: Mr. Rajesh Gautam, Mr. Amit
Kalra and Mr. Kamal Preet
Singh, Advs. with the
petitioners in person

versus

STATE & ANR.

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Saurabh, PS
Govindpuri, Delhi
Father of R-2, Special Power of
Attorney Holder in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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30.04.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.845/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Govind Puri, Delhi and the proceedings emanating therefrom.
2. Respondent No.2 has executed a Special Power of Attorney in favour of her father, Mr. Rajesh Kumar Chandi. Affidavit of Mr. Rajesh Kumar Chandi is on the record.
3. The petitioners and Special Power of Attorney Holder of the respondent No.2 as well as the learned counsel for the petitioners

submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Mediation Centre, Saket Courts, New Delhi on 28.11.2017, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 11.5.2018.

4. Special Power of Attorney Holder in his affidavit stated that as the respondent No.2 had to leave for Washington, USA for official work, it was not possible for her to appear before the Court. He further stated in the affidavit that in case the petitioners make the payment of the balance amount of Rs.3.75 lacs in favour of respondent No.2, he has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.887176 dated 16.3.2019 for an amount of Rs.3.75 lacs which has been handed over to the Special Power of Attorney Holder of the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

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

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. 845/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: Govind Puri, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 30, 2019/rk