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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3972/2018

HARIHAR SHARMA & ORS.

..... Petitioners

Through: Ms. Divya Malhotra, Advocate

versus

STATE OF NCT DELHI & ANR.

..... Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Jitender, PS:KNK
Marg, Delhi
Mr. Anuj Aggarwa, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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11.04.2019

CRL.M.A. 29526/2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 3972/2018

1. Status report filed.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0139/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: K.N. Katju Marg, Delhi and the proceedings emanating therefrom.

3. 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 Judge, Family Court, North Rohini, Delhi on 12.3.2018, in terms whereof petitioner No.1 had agreed to pay Rs.17,00,000/- to the respondent No.2. It is further submitted that out of Rs.17,00,000/-, an amount of Rs.14,00,000/- has already been paid to respondent No.2.

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.3,00,000/- 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.201936, dated 18.2.2019, drawn on ICICI Bank, for an amount of Rs.3,00,000/-, 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 arrived at between the parties.

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.0139/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: K.N. Katju Marg, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 11, 2019

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