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

+ **CRL.M.C. 5849/2018 & CrI.M.A.41671/2018**

SH URVESH & ORS.

.... Petitioners

Through

Mr. Shivender Vishwas, Adv.
with the petitioners in person

versus

THE STATE & ANR.

.... Respondents

Through

Mr. Mukesh Kumar, APP
with ASI Subesingh
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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16.10.2019

1. The petitioners have filed the present petition under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0044/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Moti Nagar, Delhi and the proceedings emanating therefrom.
2. Response by way of affidavit stands filed by the respondent No.2.
3. The petitioners and 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 Judge, Family Court, Dwarka, New Delhi on 9.3.2018, in

pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 16.7.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to hand over her an FDR for an amount of Rs.20 lacs in favour of their daughter Myra in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners hand over the FDR for the aforesaid amount to her, she 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 an FDR bearing A/c No.918040084528047 for an amount of Rs.20 lacs which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the handing over of the FDR for the amount of Rs.20 lacs 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 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.0044/2017, under Sections 498-A/406/34 of the IPC, registered at

P.S.: Moti Nagar, Delhi and the proceedings emanating therefrom are quashed.

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

CHANDER SHEKHAR, J

OCTOBER 16, 2019/rk