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

+ **CRL.M.C. 5454/2018**

**MAHESH SARAN @ MAHESH KUMAR
& ORS**

.... Petitioners

Through Mr. Ajay Kumar, Adv. with P-1
to 3 and 5 to 7 in person

versus

**THE STATE (GOVT OF NCT OF DELHI)
& ANR**

.... Respondents

Through Mr. Mukesh Kumar, APP with
ASI Vijay Pal Singh
Mr. Krishan Kumar, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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05.11.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.59/2009, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: CWC Nanakpura, Delhi and the proceedings emanating therefrom.
2. Special Power of Attorney executed by the petitioner No.4 in favour of the petitioner No.1 already on record.
3. The petitioner Nos.1 to 3 and 5 to 7 and respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Delhi Mediation Centre,

Karkardooma Courts, Delhi on 7.9.2017, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 19.4.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.1.5 lacs to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.1.5 lacs 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 a demand draft bearing No.024880 dated 31.10.2019 for an amount of Rs.1.5 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 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 petitioner Nos.1 to 3 and 5 to 7 as well as respondent No.2 and has also verified the settlement arrived at between the parties as well as the Special Power of Attorney.

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.59/2009, under Sections 498-A/406/34 of the IPC, registered at P.S.: CWC Nanakpura, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 05, 2019/rk