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

+ CRL.M.C. 6447/2018 & CrI. M.A. No.50005/2018

PARANSHU SHAMSHEER & ORS. Petitioners

Through: Mr. Mukesh Sharma, Mr. Anish Sharma &
Mr. Abhishek K. Sinha, Advocates.

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Raghuvinder Verma, APP for the State
with ASI Vijay Pal Singh, PS CWC Nanak
Pura.

Counsel for R-2 (appearance not given) with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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05.09.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.64/2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Nanakpura, Delhi and the proceedings emanating therefrom.

2. Special Power of Attorney (SPA) executed by petitioner No.1 in favour of petitioner No.3 as well as Special Power of Attorney executed by petitioner No.2 in favour of petitioner No.4 are already on the record.

3. The petitioners No.3 and 4 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 vide Compromise-cum-Settlement Deed dated 07.07.2018 in terms whereof petitioner No.1 had agreed to pay Rs.23,00,000/- to respondent No.2.

4. It is further submitted that out of Rs.23,00,000/-, an amount of Rs.13,00,000/- 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 29.09.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has already received an amount of Rs.13,00,000/- and she has no objection to the petition being allowed and the FIR being quashed in case the petitioners pay the balance amount of Rs.10,00,000/- to her, which is required to be paid as per the settlement arrived at between the parties. Affidavit of respondent No.2 is already on the record.

6. Learned counsel for the petitioners submitted that the petitioners No.3 and 4 have brought two demand drafts (1) bearing No.088071 dated 23.08.2019 drawn on HDFC Bank for an amount of Rs.7,50,000/- and (2) bearing No.766061 dated 23.08.2019 drawn on United Bank of India for an amount of Rs.2,50,000/-, which have been handed over to respondent No.2 today in the Court.

7. The Investigating Officer ('IO'), who is present in Court, has identified petitioners No.3 and 4 as well as their SPAs and respondent

No.2 and has also verified the settlement arrived at between the parties.

8. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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.64/2013, under Sections 498-A/406/34 of the IPC, registered at P.S.: Nanakpura, Delhi and the proceedings emanating therefrom are quashed.

9. The petition is disposed of in the above terms. The pending application also stands disposed of.

CHANDER SHEKHAR, J.

SEPTEMBER 05, 2019

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