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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 6516/2018

PARMESH KUMAR& ORS.

..... Petitioners

Through: Mr. S.C. Vimal & Mr. Amith
J., Advocates

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghai, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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29.01.2019

CRL.M.A. 2023/2019

In view of the cause submitted, the application is allowed and the applicants are impleaded as petitioners. Accordingly, the application is disposed of.

CRL.M.C. 6516/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.457/2017, under Sections 498A/406 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Uttam Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion, vide

Settlement dated 4.9.2017 before the Counselling Cell, Family Courts, Dwarka, Delhi, in terms whereof the petitioner No.1 had to pay Rs.7,00,000/- to the respondent No.2. It is further submitted that out of Rs.7,00,000/-, an amount of Rs.5,00,000/- has already been paid to respondent No.2. It is also submitted that the marriage between 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 29.8.2018.

3. Respondent No.2, who is present in Court along with her father, 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 petitioner No.1 pays the balance amount of Rs.2,00,000/- to her, which is required to be paid as per the Settlement.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.043363, dated 28.1.2019, drawn on HDFC Bank, for an amount of Rs.2,00,000/-, which has been handed over to the respondent No.2 today in the Court.

5. 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.

6. 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. 457/2017, under Sections 498A/406 of the IPC, registered at P.S.: Uttam Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 29, 2019

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