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

Date of decision: January 10, 2020

+ **W.P.(CRL) 57/2020 and CRL.M.A. 331/2020**

DAYA SHANKAR & ORS

..... Petitioners

Through

M. Hasibuddin, Advocate
alongwith petitioners in person

versus

THE STATE & ANR

..... Respondents

Through

Mr. Ranbir Singh Kundu,
Additional Standing Counsel
(Criminal) with Mr. Shivom
Saharon and Mr. Hitesh Vali,
Advocates with SI Sanjeev
Choudhary, P.S.: Delhi Cantt.

Mr. K.K. Duby, Advocate for
Respondent no.2 alongwith
respondent no.2 in person

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 290/2017, under sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Delhi Cantt and the proceedings emanating therefrom.

The petitioners and respondent no.2 have submitted that they have settled their disputes vide Settlement Deed dated 30.08.2019 before the

Counseling Cell, Family Court, Patiala House, New Delhi. The parties have already obtained divorce by mutual consent on 20.12.2019. The settlement amount was Rs. 4,50,000/-, out of which Rs. 2,00,000/- has been paid to respondent no.2 at the time of first motion and Rs. 1,25,000/- has further been paid to respondent no.2 at the time of second motion and a demand draft of Rs. 1,25,000/- has been handed over to respondent no.2 today in the court. Copy of the said demand draft has been placed on record.

Respondent no.2, who is present in Court, has reiterated the aforesaid facts and submitted that they have amicably settled their dispute. Respondent no.2 further submitted that she has no objection to the FIR being quashed and the petition being allowed.

The Investigating Officer, who is present in Court, has identified the petitioners as well as respondent no.2.

In view of the above 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. 290/2017, under sections 498A/406/34 of the IPC, registered at P.S.: Delhi Cantt. and the proceedings emanating therefrom are quashed.

Petition alongwith pending application is disposed of accordingly.

(BRIJESH SETHI)
JUDGE

JANUARY 10, 2020/savita