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

Date of decision: 14.2.2020

+ CRL.M.C. 59/2020

SH. DHEERAJ & ORS.

.... Petitioners

Through Mr.Yogesh Kumar Rana, Adv.

versus

STATE & ANR.

.... Respondents

Through Mr. Izhar Ahmed, APP for State
Mr.Arvind Kumar, Adv. for R-2 with
R-2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

CRL. M.A. 272/2020

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. Vide the present petition, petitioners seek direction thereby for quashing of FIR No. 43/2016 dated 5.5.2016 registered at Police Station North Avenue, Delhi and all other proceedings emanating therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for the State and by counsel for respondent no.2 and with the consent of counsel for parties, the present petition is taken up for final disposal.

6. Petitioner no.1 and respondent no.2 got married on 15.2.2014 as per Hindu rites and rituals. Due to extreme incompatibilities between petitioner No.1 and respondent no.2, they started living separately since 17.6.2015.

7. Petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before Delhi Mediation Centre, Karkardooma Courts, Delhi vide a Settlement dated 16.2.2019 and settled all their disputes amicably.

8. Respondent no.2 is present in person with her counsel and produces her Adhar Card bearing No.337721158141 for her identification and submits that matter has been settled and she does not wish to prosecute the matter any further.

9. The total settlement amount is ₹5,00,000/-(Rupees Five Lakhs only). It is submitted that the respondent No. 2 has already received an amount of ₹4 lakhs (Rupees Four Lakhs only). A demand draft bearing No.847201 dated 7.1.2020 for the balance amount of ₹1,00,000/- (Rupees One Lakh only) is handed over to the respondent No. 2 today in the Court.

10. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioners any further.

11. For the reasons afore-recorded, FIR No. 43/2016 dated 5.5.2016 registered at Police Station North Avenue, Delhi and consequent proceedings emanating therefrom are quashed.

12. The petition is allowed and disposed of accordingly.

Dasti.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 14, 2020
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