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

Date of decision: 10.01.2020

+ CRL.M.C. 92/2020

JAGJEET SINGH & ORS

..... Petitioner

Through: Mr.Puneet Khurana, Adv. with
Mr.Chandan Chawla, Adv.

versus

THE STATE & ANR

..... Respondents

Through: Mr. Hirein Sharma, APP for State.
Mrs.Brijinder Khurana, 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. 395/2020

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

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3. Vide the present petition, the petitioners seek quashing of FIR No.42/2013 dated 16.03.2013 registered at Police Station Gulabi Bagh/Pratap Bagh instituted for the offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings arising therefrom.

4. Notice issued.
5. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.
6. The petitioner no.1 and respondent no.2 got married on 25.10.2009 as per Sikh rites and rituals. Due to extreme incompatibilities between the petitioners and respondent no.2, they have started living separately from 05.06.2012.
7. The petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide MOU dated 18.09.2019 and settled all their disputes amicably.
8. The total settlement amount is ₹15,00,000/- (Rupees Fifteen Lakhs only). It is submitted that the respondent no. 2 has already received an amount of ₹10 lakhs (Rupees Ten Lacs only). A demand draft bearing No.008241 dated 29.11.2019 for the balance amount of ₹5,00,000/- (Rupees Five Lacs only) is handed over to the respondent No. 2 today in the Court.
9. The complainant/respondent no.2 is present in person with her counsel and has produced her Aadhar Card issued by Government of India bearing no.367645752088 (original seen and returned) and submits that

matter has been settled and she does not wish to prosecute the matter any further.

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

11. For the reasons afore-recorded, the FIR No.42/2013 dated 16.03.2013 registered at Police Station Gulabi Bagh/Pratap Bagh instituted for the offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings emanating therefrom are quashed.

12. The petition is allowed and disposed of accordingly.

13. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

JANUARY 10, 2020
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