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

+ **W.P.(CRL) 75/2020**

ABHIMANYU SHAH & ANR.

..... Petitioners

Through Ms Meenu Jha, Advocate.

versus

STATE & ANR

..... Respondents

Through Mr Rajesh Mahajan, ASC for State with
Ms Jyoti Babbar, Advocate.
ASI Balkishan, P.S. New Ashok Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.01.2020

CRL.M.A. 457/2020

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

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3. The petitioners have filed the present petition, *inter alia*, praying that FIR No. 1254/2015 under Sections 498-A/406/34 of the IPC registered with PS New Ashok Nagar and all proceedings emanating therefrom, be quashed.
4. The said FIR was registered at the instance of respondent no.2. She is present in Court and is identified by the Investigating Officer. She states that the said FIR was filed in view of matrimonial disputes that had arisen between her and her husband (petitioner no.1). She states that she has since

resolved all her disputes with petitioner no. 1 in terms of a Settlement Agreement dated 25.10.2018. A copy of the said agreement has been placed on record. In terms of the said settlement, petitioner no.1 has agreed to pay a sum of ₹63,50,000/- to respondent no.2 in full and final settlement of all her claims. Respondent no. 2 acknowledges that she had received a sum of ₹60,50,000/- and with the receipt of the balance amount of ₹3,00,000/-, she would have no further claims against the petitioners. She also states that she and petitioner and no. 1 have secured a decree of divorce by mutual consent.

5. The petitioners have handed over a manager's cheque for a sum of ₹3,00,000/- drawn on HDFC Bank. A photocopy of the same has been placed on record. Respondent no.2 has accepted the said cheque as full and final settlement of all her claims. She joins the petitioners in praying that the FIR in question and all proceedings emanating therefrom, be quashed.

6. The petitioners are present in Court and are identified by their counsel. They state that they have no further grievances against respondent no.2.

7. In view of the statements made by the concerned parties (petitioners and respondent no.2) this Court considers it apposite to allow the present petition.

8. Accordingly, FIR No. 1254/2015 under Sections 498-A/406/34 of the IPC registered with PS New Ashok Nagar and all proceedings emanating therefrom, are quashed.

9. The concerned parties (petitioners and respondent no.2) shall sign this order as an acknowledgment of the statements recorded herein.

10. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

JANUARY 13, 2020

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