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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: January 30, 2020

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W.P.(CRL) 139/2020

KAMAL DEEP SINGH SAINI & ORS Petitioners

Through Ms. Niti Chaudhary, Advocate
alongwith petitioners in person

versus

THE STATE & ANR Respondents

Through Mr. G.M. Farooqui, Additional
Public Prosecutor for the State
with ASI Naresh Kumar, P.S.:
Vijay Vihar

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. 445/2018, under sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Vijay Vihar and the proceedings emanating therefrom.

The petitioners and respondent no.2 have submitted that they have settled their disputes vide Memorandum of Understanding dated

06.07.2019. The parties have already obtained divorce by mutual consent on 24.09.2019. The settlement amount was Rs. 3,50,000/-, out of which Rs. 1,00,000/- 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 she has 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. 445/2018, under sections 498A/406/34 of the IPC, registered at P.S.: Vijay Vihar and the proceedings emanating therefrom are quashed.

Petition is disposed of accordingly.

(BRIJESH SETHI)
JUDGE

JANUARY 30, 2020
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