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

Date of decision: 14.02.2020

+ CRL.M.C. 835/2020

SANJEEV SAINI & ANR

..... Petitioners

Through Dr.Ram Avtar Sharma, Adv.

versus

THE STATE (N.C.T OF DELHI) & ANR

..... Respondents

Through Mr.Panna Lal Sharma, APP for State.
SI Vinod Kumar SI Ajay Kumar.
Respondent no.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. 3416/2020

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

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3. Vide the present petition, petitioners seek direction for quashing of FIR No. 456/2013 dated 30.10.2013 registered at Police Station Burari and consequent proceedings arising therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for State and respondent no.2 who is present in person 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 23.04.2008 as per Hindu rites and rituals. One child was born out of the wedlock namely Pranav. Due to extreme incompatibilities between petitioners and respondent no.2, they started living separately since 20.01.2012
7. Petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement vide memorandum of understanding dated 28.08.2015 and settled all their disputes amicably.
8. A demand draft bearing No.507759 dated 10.02.2020 for balance amount of ₹50,000/- (Rupees Fifty Thousand Only) is handed over to respondent No. 2 today in the Court.
9. Complainant/respondent no.2 is present in person with her counsel and has been identified by SI Vinod Kumar of Police Station Burari 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 FIR as no useful purpose would be served in prosecuting petitioners any further.

11. For the reasons afore-recorded, FIR No. 456/2013 dated 30.10.2013 registered at Police Station Burari and consequent proceedings emanating therefrom are quashed.

12. The petition is, accordingly, allowed and disposed of.

13. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 14, 2020
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न्यायमेव जयते