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

Date of decision: 20.02.2020

+ CRL.M.C. 966/2020

DEEPAK MALHOTRA & ORS Petitioners

Through Ms.Diksha Mathur and Mr.Mohit
Bangwal, proxy counsel

versus

STATE (GOVT. OF NT OF DELHI) & ANR Respondents

Through Mr.Izhar Ahmed, APP for State with
SI Jeetendra Singh, PS Bharat Nagar,
Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

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

1. Vide the present petition, petitioners seek direction for quashing of F.I.R No.0342 dated 30.06.2015 registered at Police Station Bharat Nagar, Delhi and consequent proceedings arising therefrom.
2. Notice issued.
3. Notice is accepted by learned APP for State and by respondent no.2 present in person and with the consent of counsel for parties, present petition is taken up for final disposal.

4. Petitioner no.1 and respondent no.2 got married on 20.9.2010 as per Hindu rites and rituals. One male child was born out of the wedlock, namely Hardik. Due to extreme incompatibilities between petitioners and respondent no.2, they started living separately from 30.12.2014.

5. Petitioner No.1 and respondent no.2 entered into an amicable settlement before the Counselling Cell, Family Courts, (North-West), Rohini, Delhi vide settlement deed dated 4.2.2019 and settled all their disputes amicably.

6. Respondent No.2 is present in person and has been identified by SI Jeetendra Singh (IO) and submits that matter has been settled and she does not wish to prosecute the matter any further.

7. It is agreed between petitioner and respondent No.2 that petitioner shall pay an amount of Rs.10,000/- per month towards expenses of child and respondent No.2 subject to condition that petitioner should be allowed to meet the child every week on Sunday. Respondent No.2 has agreed thereto.

8. Accordingly, petitioner shall pay Rs.10,000/- month to respondent No.2 for expenses of child and respondent No.2. Petitioner shall meet child for three hours on every Sunday, i.e. from 11 AM to 2 PM.

9. It is made clear that child shall be taken from residence of respondent No.2 at 11 AM and shall be dropped at the same place at 2 PM.

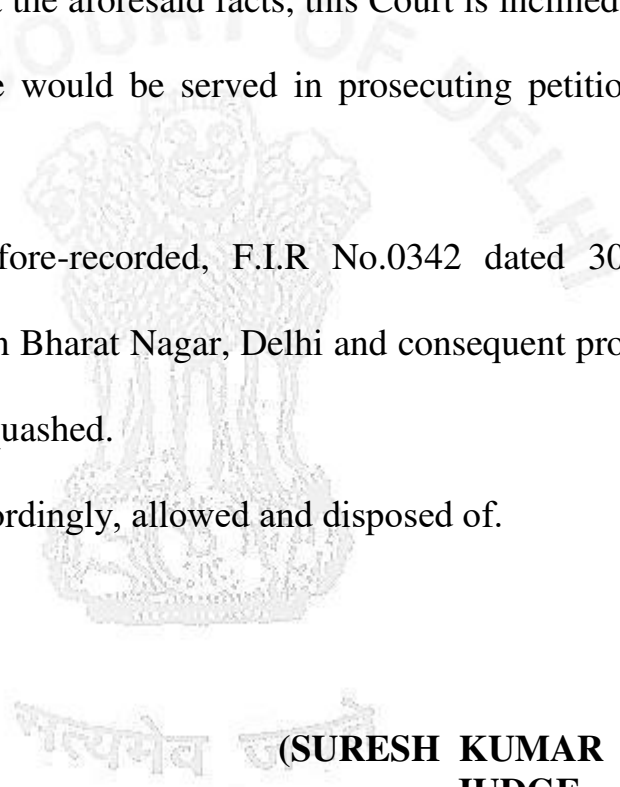
10. It is also made clear that if either party fails to comply with terms of aforesaid settlement before this Court, the said party shall be liable for legal action.

11. 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.

12. For the reasons afore-recorded, F.I.R No.0342 dated 30.06.2015 registered at Police Station Bharat Nagar, Delhi and consequent proceedings emanating therefrom are quashed.

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

14. Order *dasti*.


(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 20, 2020/rk