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

+ CRL.M.C. 1010/2020

AMIT KUMAR ARORA & ANR. Petitioners
Through: Mr. Rishabh Relan, Advocate with
Ms. Vinny Shangloo, Advocate.

versus

STATE & ANR. Respondents
Through: Mr. Sanjeev Sabharwal, APP for the
State with SI Parveen Kumar.
Respondent No.2 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **27.02.2020**

Crl. M.A. No.4060/2020 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

Crl. M.C. No.1010/2020

By this joint petition under Section 482 Cr.P.C. the petitioner No.1/husband and petitioner No.2/mother-in-law and respondent No.2/wife seek quashing of FIR No.023/2017 registered under Sections 498A/406/34 IPC at PS: Tilak Nagar and all proceedings emanating therefrom, on the basis of settlement dated 24.12.2018 arrived at between the parties under the aegis of the Counselling Cell, Family Courts, Tis Hazari, Delhi. Copy of the settlement is annexed to the petition.

Petitioners and respondent No.2 are present in court.

The State is represented.

Under the terms of the settlement, parties were to seek divorce by mutual consent, which has been decreed vide decree dated 24.10.2019 in HMA No.2636/2019 titled as **Smt. Suman Sharma vs. Sh. Amit Kumar Arora**. A copy of the decree-sheet is annexed with the petition. Apart therefrom petitioner No.1 was to pay to respondent No.2 a total sum of Rs.6 lacs in three parts. Rs.2 lacs was to be paid upon recording of the statements in the first motion for divorce; another Rs.2 lacs upon recording of statements in the second motion; and the third instalment of Rs.2 lacs was to be paid at the stage of quashing of FIR.

There is no child born from the wedlock.

Respondent No.2 is present in-person and is identified by the counsel for the petitioners as well as by the Investigating Officer. Respondent No.2 confirms that she has received Rs.4 lacs due under the settlement as of date. Counsel for the petitioners has handed-over to respondent No.2 a Pay Order bearing No.328835 dated 28.01.2020 in the name of Smt. Suman Sharma in the sum of Rs.2 lacs towards the last tranche due, the receipt of which respondent No.2 acknowledges. A photocopy of the Pay Order is also handed-up in court and is taken on record. Parties confirm that nothing further remains to be performed under settlement dated 24.12.2018. Parties also confirm that in view of the settlement, all proceedings arising from case FIR No.023/2017 be quashed. The joint petition is supported by affidavits of petitioners Nos.1 and 2 as also of

respondent No.2.

In view of the statements made by petitioners Nos.1 and 2 and by respondent No.2, I see no impediment to quashing of the FIR and consequential proceedings.

Accordingly FIR No. 023/2017 registered under Sections 498A/406/34 IPC at PS: Tilak Nagar and all proceedings emanating therefrom are quashed. Bail bonds, if any, be cancelled and sureties discharged

Petition stands disposed of.

Order *dasti*.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 27, 2020

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