

\$~50

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

Date of decision: 27.02.2020

+ CRL.M.C. 1091/2020

RAJENDRA PRASAD TAMTA & ORS. Petitioners
Through Adv. (appearance not given)

versus

STATE & ANR. Respondent
Through Mr. Izhar Ahmed, APP for State
SI G. N. Tiwari, PS Subzi Mandi.
Adv. (appearance not given) for R-2
with 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. 4317/2020

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

CRL.M.C. 1091/2020

3. Vide the present petition, petitioners seek direction for quashing of FIR No. 184/2015 dated 10.04.2015 registered at Police Station Subzi Mandi and consequent proceedings arising therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for State and by counsel for respondent no.2 and with the consent of counsel for parties, present petition is taken up for final disposal.

6. Petitioner no.1 and respondent no.2 got married on 21.04.2011 as per Hindu rites and rituals. One child was born out of the wedlock. Due to extreme incompatibilities between petitioners and respondent no.2, they started living separately from 03.03.2014.

7. Petitioners and respondent no.2, with the intervention of their well wishers and relatives, entered into an amicable settlement before Counselling Cell, Principal Judge, Tis Hazari Courts, New Delhi agreement dated 28.10.2017 and settled all their disputes amicably.

8. Complainant is present in person and has been identified by SI G. N. Tiwari of Police Station Subzi Mandi and submits that matter has been settled and she does not wish to prosecute the matter any further.

9. A demand draft bearing No.107196 dated 10.02.2020 for the balance amount of ₹3,00,000/- (Rupees Three Lacs) is handed over to the respondent no. 2 today in the Court.

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. 184/2015 dated 10.04.2015 registered at Police Station Subzi Mandi, New Delhi and consequent proceedings emanating therefrom are quashed.

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

13. Order *dasi*.

FEBRUARY 27, 2020
ms

(SURESH KUMAR KAIT)
JUDGE

न्यायमेव जयते