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

Date of decision: 28.02.2020

+ CRL.M.C. 1126/2020

AMIT KUMAR & ORS.

.... Petitioners

Through Mr.Raj Kumar, Adv. with petitioners
in person

versus

STATE & ANR.

.... Respondents

Through Mr. Izhar Ahmad, APP for State SI
Rajeev Kumar (IO) and ASI Bandna,
PS Harsh Vihar, Delhi
Ms.Rita Rana and Mr.Vishwas Ahuja,
Advs. for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (ORAL)

Crl. M.A. 4417/2020 (for exemption)

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.97/2017 dated 12.04.2017 registered at Police Station Harsh Vihar, Delhi 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 21.02.2011 as per Hindu rites and rituals. Due to extreme incompatibilities between petitioners and respondent No. 2, they started living separately from 26.12.2014.
7. Petitioners and respondent No. 2, have entered into an amicable settlement before Delhi Mediation Centre, Karkardooma Court, Delhi vide a settlement deed dated 15.05.2018 and settled all their disputes amicably.
8. Respondent No. 2 is present in person and has been identified by SI Rajeev Kumar (IO) and submits that matter has been settled and she does not wish to prosecute the matter any further.
9. The total settlement amount is ₹10,00,000/- (Rupees Ten Lakhs only). It is submitted that respondent No. 2 has already received an amount of ₹8,00,000/- (Rupees Eight Lakhs only). A demand draft bearing No. 976297 dated 27.02.2020 for the balance amount of ₹2,00,000/- (Rupees Two Lakhs only) is handed over to respondent No. 2 today in 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. 0097/2017 dated 12.04.2017 registered at Police Station Harsh Vihar, Delhi and consequent proceedings emanating therefrom are quashed.

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

13. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 28, 2020/rk

न्यायमेव जयते