

\$~42

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

Date of decision:02.03.2020

+ CRL.M.C. 1190/2020

KAPIL TALWAR & ORS.

..... Petitioners

Through Mr.Vinay K Dhingra, Adv.

versus

STATE & ANR.

.... Respondents

Through Mr.Panna Lal Sharma, APP for State
SI Dharmvir Singh, PS CWC Nanak
Pura, ND
R-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. 4620/2020 (for exemption)

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

CRL.M.C.1190/2020

3. Vide the present petition, petitioners seek direction for quashing of FIR No. 0040/2014 dated 26.02.2014 registered at Police Station CAW Nanakpura, Delhi and consequent proceedings arising therefrom.
4. Notice issued.

5. Notice is accepted by learned APP for State and by respondent No. 2, who is present in Court 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 03.07.2011 as per Hindu rites and rituals. One female child was born out of the said wedlock, namely Astha. Due to extreme incompatibilities between petitioner and respondent No. 2, they started living separately from 05.06.2013.

7. Petitioner No. 1 and respondent No. 2, due to intervention of their well wishers and family members, have entered into an amicable settlement dated 11.09.2019 and have settled all their disputes amicably.

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

9. The total settlement amount is ₹7,00,000/- (Rupees Seven Lakhs only). It is submitted that the respondent No. 2 has already received an amount of ₹4,00,000/- (Rupees Four Lakhs only). A demand draft bearing No.210697 dated 24.02.2020 for the balance amount of ₹3,00,000/- (Rupees Three 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 the present FIR as no useful purpose would be served in prosecuting petitioner any further.

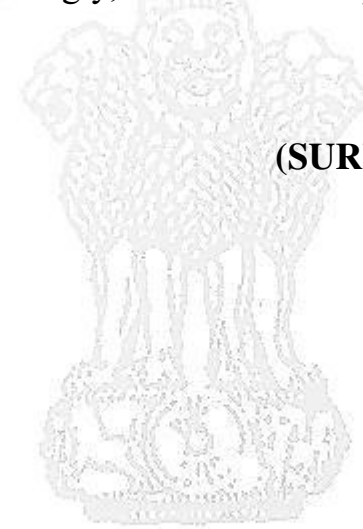
11. For the reasons afore-recorded, FIR No. 0040/2014 dated 26.02.2014 registered at Police Station CAW Nanakpura, Delhi and consequent proceedings emanating therefrom are quashed.

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

13. Order *dasti*.

(SURESH KUMAR KAIT)
JUDGE

MARCH 02, 2020/rk



न्यायमेव जयते