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

+ **CRL.M.C. 1393/2020**

AKBAR ALI & ORS.

..... Petitioners

Through: Mr. Muhammad Arif, Advocate

versus

STATE & ANR.

..... Respondents

Through: Ms. Aashaa Tiwari, APP for State with
ASI Manvir

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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13.03.2020

CRL.M.A. 5379/2020 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 1393/2020

1. The present proceedings are instituted seeking quashing of FIR No. 428/2017, registered under Sections 498A/406/34 IPC at Police Station Mayur Vihar Phase-I, Delhi on the ground of a settlement having been arrived at between the parties.
2. The present FIR is an outcome of matrimonial disputes between petitioner no.1 (husband) and respondent no.2 (wife).
3. Learned APP for the State submits that the charge-sheet has been filed against the present petitioners and respondent No.2 is the only complainant/victim in the present case.

CRL.M.C. 1393/2020

Page 1 of 3

4. Learned counsel for the petitioners submits that the parties have entered into a settlement vide Settlement Deed/Compromise Deed on 22.01.2020. A copy of the same has been annexed as *Annexure-B* with the petition. As per the settlement, the petitioners have paid the remaining amount of Rs.1,00,000/- to respondent No.2 by way of a demand draft bearing No.012743 dated 20.02.2020 drawn on Axis Bank, which has been duly received and accepted by her. In terms of the settlement, the marriage between petitioner no.1 and respondent no.2 has been dissolved by a Deed of Mubarat by mutual consent on 03.03.2020. In terms of the aforesaid settlement, respondent No.2 is, now, left with no claim or grievance against the petitioners.

5. The petitioners, who are present in person, are identified by their counsel and the Investigating Officer. Respondent No.2, who is present in person, is also identified by the Investigating Officer.

6. Respondent No. 2, present in person, states that she has entered into the settlement with the petitioners out of her own free will, volition and without any undue force, pressure or coercion. She further states that she has received the entire settled amount from the petitioners and she has no objection if the present FIR and all subsequent proceedings arising therefrom are quashed.

7. Learned counsels for the parties submit that besides the present FIR, there is another connected FIR, FIR No.529/2017, registered under Sections 354(A)/354(B)/506 IPC at P.S. Gokul Puri, Delhi which has also been settled vide Settlement Deed/Compromise Deed on 22.01.2020.

8. The parties shall remain bound by their statements made in Court today.

9. In view of the settlement arrived at between the parties voluntarily, in my view, no useful purpose will be served in continuance of the present criminal proceedings. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are hereby quashed.

10. With the above directions, the petition is disposed of.

11. ***DASTI.***

MANOJ KUMAR OHRI, J

MARCH 13, 2020

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