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

Date of decision: 16.03.2020

+ CRL.M.C. 1423/2020

ANOOP BISWAS

..... Petitioner

Through

Mr. Vijay Shankar Tiwari, Adv. along
with petitioner.

versus

THE STATE (NCT OF DELHI) & ANR.

..... Respondents

Through

Mr. Izhar Ahmed, APP for State.
SI Rajeshwar, PS Palam Village
Mr. Gaurav Chowdhary, Adv. for R-2
with 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. 5480/2020

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

CRL.M.C. 1423/2020

3. Vide the present petition, petitioner seeks direction for quashing of FIR No. 290/2017 dated 16.08.2017 registered at Police Station Palam Village 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 and respondent no.2 got married on 20.01.2012 as per Hindu rites and rituals. One child was born out of the wedlock namely Ishan Biswas on 25.12.2012. Due to extreme incompatibilities between petitioner and respondent no.2, they started living separately from 18.08.2016.

7. Petitioner and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before the Counselling Cell, Family Courts, Dwarka Courts, New Delhi vide settlement deed dated 08.02.2019 and in the settlement deed, petitioner had agreed to pay a total sum of ₹5,00,000/- to respondent no.2 and settled all their disputes amicably.

8. A demand draft bearing No.117615 dated 11.02.2020 for the balance amount of ₹1,50,000/- (Rupees One Lac Fifty Thousand Only) is handed over to the respondent no. 2 today in the Court.

9. Complainant is present in person and has been identified by SI Rajeshwar of Police Station Palam Village and submits that matter has been settled and she does not wish to prosecute the matter any further.

10. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioner any further.

11. For the reasons afore-recorded, FIR No. 290/2017 dated 16.08.2017 registered at Police Station Palam Village and consequent proceedings emanating therefrom are quashed.

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

13. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

MARCH 16, 2020
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