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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 1500/2020

ROOPANKER UPADHYAY & ORS

..... Petitioners

Through : Mr.Vikram Dua, Advocate.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through : Ms.Radhika Kolluru, APP for the
State/R1.

Ms.Cheena, Advocate for respondent
No.2/complainant.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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10.06.2020

1. The hearing has been conducted through Video Conferencing.

Crl.M.A.No.7398/2020

2. Exemption allowed, subject to all just exceptions.

3. The application stands disposed of.

CRL.M.C. 1500/2020

4. This petition is filed for quashing of the FIR No.852/2016 under Sections 498A/406/34 IPC Police Station Keshav Puram registered against the petitioners on the complaint of respondent No.2/wife. The matter has been amicably settled between the parties vide settlement agreement dated 01.12.2018 wherein the husband / petitioner No.1 was to pay a sum of Rs.11.00 lac to respondent No.2/wife. It is stated in December, 2018 a sum of Rs.3.50 lac was paid at the time of passing of first motion of divorce; thereafter on 04.04.2019 further sum of Rs.4.00 lac was paid at the time of second

motion and decree of divorce was passed on said date and they have parted their ways. The last leg of the payment as per the settlement is Rs.3.50 lac and was payable at the time of quashing of FIR.

5. The learned counsel for petitioners says the draft bearing No.962966 dated 04.06.2020 drawn on Oriental Bank of Commerce, for a sum of Rs.3.50 lacs in favour of respondent No.2/wife is lying with him.

6. The learned counsel for respondent No.2 is also present and she agrees for above settlement. The original draft shall be handed over to the learned counsel for respondent No.2 within two days from today by the learned counsel for petitioner against valid receipt.

7. In view of the submissions so made, the FIR bearing No.852/2016 under Sections 498A/406/34 IPC Police Station Keshavpuram stands quashed and so also the proceedings emanating therefrom pending in the Court of Ms.Shilpi Jain, learned Metropolitan Magistrate, Mahila Court, North-West District, Rohini Courts, Delhi.

8. The petition stands disposed of. No order as to costs.

YOGESH KHANNA, J.

JUNE 10, 2020

DU/M