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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1316/2020

AMARJEET SINGH & ANR.

..... Petitioners

Through : Mr.Girish Kumar, Advocate

versus

THE STATE & ANR.

..... Respondents

Through : Ms.Kamna Vohra, ASC and
Ms.Shivani Sharma, Advocate for State
with SI Praveen Kumar, PS Tilak
Nagar, Delhi in person.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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26.08.2020

1. The hearing has been conducted through Video Conferencing.

Crl.M.A.No.11611/2020

2. Exemption allowed, subject to all just exceptions.

3. The application stands disposed of.

W.P.(CRL) 1316/2020

4. Petitioners filed this petition for quashing of the FIR No.627/2019 under Section 406/498A/506/34 Indian Penal Code registered at police station Tilak Nagar, New Delhi against them and the proceedings emanating therefrom. The FIR was registered on the complaint of respondent No.2.

5. The petitioner No.1 was married to complainant/ respondent No.2/wife on 24.12.2006 at Delhi according to Hindu rites and customs. Two daughters were born from this wedlock and because of the temperamental differences between the couple, they could not live together but now they have settled their disputes and have already obtained the divorce by mutual consent under The Hindu Marriage Act, 1955 on 11.08.2020 from the Family Courts, Dwarka, New Delhi.

6. The respondent No.2 has settled all her disputes with the petitioner and as per the settlement, petitioner No.1 has already transferred property No.C-12/A, Ranjiv Vihar, Nilothi, Nangloi, Delhi admeasuring 100 square yards in favour of respondent No.2 on 27.11.2019 with complete chain of documents. This transfer of property has been done in favour of respondent No.2 towards her dowry, istridhan, permanent alimony, maintenance (past, present and future). She has also received an amount of Rs.9,00,000/- for the welfare of both the children.

7. Upon such payment, divorce, settlement etc., the respondent No.2 is now not interested to pursue the FIR against the petitioners.

8. The complainant/respondent No.2 is present who has been duly identified by SI Parveen Kumar, police station Tilak Nagar, Delhi also affirms to above and states the matter has been settled with the petitioners and she has no objection if the FIR is quashed against the petitioners. The learned ASC for the State has also no objection, if this petition is allowed.

9. Considering the above settlement between the parties, there is no justification to proceed with the criminal case as complainant has settled all the disputes and has received the settled amount from the petitioners.

10. Accordingly, the petition is allowed. Consequently, FIR No.627/2019 under Section 406/498A/506/34 Indian Penal Code registered at police station Tilak Nagar, Delhi and the proceedings emanating therefrom are quashed. The pending application, if any, also stands disposed of. No order as to costs.

YOGESH KHANNA, J.

AUGUST 26, 2020/AT