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

Date of decision: 27.02.2020

+ CRL.M.C. 1114/2020

ATUL GUPTA & ORS

..... Petitioners

Through Md.Zahid, Adv. with Mr.Anil Kumar,
Adv. with petitioners in person.

versus

THE STATE & ANR

..... Respondents

Through Mr. Izhar Ahmad, APP for State.
SI Narender Kumar PS I P Estate.
Mr.Firoz Ahmad, 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. 4376/2020

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

Crl.M.A. 4375/2020

3. In view of the reasons stated in the application, delay of 31 days in re-filing the petition is condoned.
4. The application is, accordingly, allowed and disposed of.

CRL.M.C.1114/2020

5. Vide the present petition, petitioners seek direction for quashing of FIR No.456/2015 dated 31.12.2015 registered at Police Station New Delhi and consequent proceedings arising therefrom.

6. Notice issued.

7. 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.

8. Petitioner no.1 and respondent no.2 got married on 01.05.2012 as per Hindu rites and rituals. Due to extreme incompatibilities between petitioners and respondent no.2, they started living separately.

9. Petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before Counselling Cell, Family Courts, Patiala House, New Delhi vide settlement deed dated 03.06.2019 and settled all their disputes amicably.

10. The total settlement amount is ₹4,70,000/- (Rupees Four Lakhs Seventy Thousand only). It is submitted that the respondent no. 2 has already received an amount of ₹3,29,000/- (Rupees Three Lacs Twenty Nine Thousand only). A demand draft bearing No.842645 dated 10.01.2020 for

the balance amount of ₹1,41,000/- (Rupees One Lakh Forty One Thousand only) is handed over to the respondent no. 2 today in the Court.

11. Complainant/Respondent no.2 is present in person and has been identified by SI Narender Kumar/IO and submits that matter has been settled, therefore, she does not wish to prosecute the matter any further.

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

13. For the reasons afore-recorded, FIR No.456/2015 dated 31.12.2015 registered at Police Station New Delhi and consequent proceedings emanating therefrom are quashed.

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

15. Order *dasti*

(SURESH KUMAR KAIT)
JUDGE

FEBRUARY 27, 2020
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