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

+ **CRL.M.C. 1580/2018 & CrI.M.As.5741/2018 & 34008/2019**

SUNIL KUMAR JAIN & ANR Petitioners

Through Mr.Ajay Kumar, Adv. for
Mr.Jitender Singh, Adv. with
the petitioners in person

versus

THE STATE & ANR Respondents

Through Mr. Mukesh Kumar, APP with
SI Kaushik Ghosh
Mr. Dayanand Sharma, Adv.
for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.01.2020

CRL.M.A. 5741/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.A. 34008/2019 (for condonation of delay)

In view of the cause submitted in the application, the delay in filing the affidavit/reply on behalf of respondent No.2 is condoned and the affidavit/reply on behalf of the respondent No.2 is taken on record. Application stands disposed of.

CRL.M.C. 1580/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.571/2010 dated 28.10.2010, under Sections 498-A/406/34 of the

Indian Penal Code, 1860 ('IPC') and Section 4 of the Dowry Prohibition Act, 1961 ('DP Act'), registered at P.S.: Shahdara, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 21.4.2017, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 6.1.2018.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.50,000/- to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.50,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.559171 dated 10.1.2020 for an amount of Rs.50,000/- which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

5. The Investigating Officer ('IO'), who is present in Court, has

identified the petitioners as well as respondent No.2 and has also verified the settlement arrived at between the parties.

6. In view of the aforesaid circumstances and the settlement arrived at between the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No.571/2010 dated 28.10.2010, under Sections 498-A/406/34 of the IPC and Section 4 of the DP Act, 1961, registered at P.S.: Shahdara, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 13, 2020/rk