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

+ CRL.M.C. 2803/2024

KASHMIR AND ORS

.....Petitioners

Through: Ms. Poonam Kumari & Mr.
Devendra Rao Madhav, Advocates
with petitioners in person

versus

STATE (GOVT NCT OF DELHI) & ANR.Respondents

Through: Ms. Kiran Bairwa, APP for the State
SI Pawan Kumar PS Mukherjee
Nagar
R-2 in person

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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29.07.2024

1. This petition is filed seeking quashing of FIR No.633/2019 registered at PS Mukherjee Nagar, Delhi under Sections 498A/406/34 IPC on the basis of settlement arrived at between the parties dated 19th July 2022, which is on record of this Court.
2. Petitioner and respondent no.2 were married on 7th February 2013 but due to marital discord, they are living separately since November 2017 and pursuant to the settlement, their marriage resulted in divorce by decree dated 2nd January 2023. No child was born out of this wedlock.
3. Petitioner Nos. 1 to 3 and complainant/ respondent no.2 are present in the Court and are duly identified by the IO and confirm the position as recorded above.
4. APP states that apart from the petitioners in the present petition, there are two other accused namely, Poonam and Naresh.



5. Considering the above settlement between the parties and the chances of conviction of the petitioners being remote and bleak, there is no use continuing with proceedings of the present FIR as it would be a misuse of the process of the Court and an unnecessary burden on the State exchequer. Accordingly, the petition is allowed. Consequently, the FIR No.633/2019 registered at PS Mukherjee Nagar, Delhi under Sections 498A/406/34 IPC and proceedings emanating therefrom are quashed *qua* the petitioners in the instant petition.
6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition is disposed of along with the pending applications, if any.
8. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 29, 2024/sm