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

+ **CRL.M.C. 5793/2024**

**HITESH GUPTA & ORS.**

.....Petitioners

Through: Mr. Punit Vinay, Mr. Surakshit, Mr. Abhay Sharma, Mr. Naresh Kapoor and Mr. Abhishek Kumar Singh, Advs.

versus

**THE STATE OF NCT OF DELHI & ANR.**

.....Respondents

Through: Mr. Ajay Vikram, APP for the State with SI Sumeet Poonia, PS Vivek Vihar.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

**30.07.2024**

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1. This petition has been filed seeking quashing of FIR No. 462/2014, under Sections 498A/406/34 IPC PS Vivek Vihar on the basis of settlement arrived at between the parties through the facilitation of the Delhi Mediation Centre, Tis Hazari Court, Delhi on 13<sup>th</sup> May, 2024 which is on record of this Court.
2. The petitioner and respondent No.2 got married on 26<sup>th</sup> January, 2006. One male child was born out of wedlock. Pursuant to matrimonial discord, the marriage resulted in a divorce by decree dated 07<sup>th</sup> September, 2022.
3. As per the settlement, an amount of Rs.11 Lacs had to be paid, out of which an outstanding balance of Rs.5 Lacs is being paid today *vide* DD No.001917 drawn on Axis Bank Ltd. which is received by respondent No.2.



4. Petitioner Nos.1-3 and respondent No.2 are present in Court and duly identified by the IO.
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. 462/2014, under Sections 498A/406/34 IPC PS Vivek Vihar and proceedings emanating therefrom are quashed.
6. Parties shall abide by the terms of settlement.
7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
8. It is however made clear that the said settlement will not affect the rights of the minor child in future.
9. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**JULY 30, 2024/MK**