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

+ **CRL.M.C. 6137/2024 CRL.M.A. 23444/2024**

JITENDRA BURAD AND ANR

.....Petitioners

Through: Mr. G L Soni, Mr A R Regimi,
Mr. Shubham Birla, Mr. Deepak
Aggarwal & Ms. Ishika Soni,
Advocates

versus

THE STATE (NCT OF DELHI) ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
SI Geeta, PS Rajender Nagar
Ms. Ansuya Chaudhary, Adv. (Thru
VC) for Complainant / R-2 with R-2
in person in Court.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

08.08.2024

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1. This petition is filed seeking quashing of FIR No.235/202015 PS Rajender Nagar under Sections 498A, 406, 34 IPC basis settlement arrived at between the parties through statements recorded before the Trial Court on 20th November 2023.

2. As per the settlement, a total amount of Rs.35 lakhs out of which Rs.20 lakhs have admittedly been received by complainant / R-2 and for the balance amount of Rs.15 lakhs, two Demand Drafts bearing nos. 668247 and 668248, drawn on Kotak Mahindra Bank, for Rs. 5 lakh and Rs. 10 lakh respectively, both dated 7th August 2024, have been handed to her in the Court today.



3. Besides, complainant/ respondent no.2 submits that costs of Rs.10,000/- was imposed on petitioner by the Trial Court which has not been paid till date. Petitioner no.1 has paid Rs.10,000/- to her in the Court today.

4. Petitioner nos. 1 and 2 and complainant are present in the Court and duly identified by the IO and their respective counsels. In view of the settlement, respondent no.2 states that she has no objection to quashing of the FIR.

5. Petitioner no.1 and respondent no.2 were married on 4th December 2013 but their marriage was declared nullity by decree of divorce dated 30th March 2019. No child was born out of this wedlock.

6. 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.235/202015 PS Rajender Nagar under Sections 498A, 406, 34 IPC and proceedings emanating therefrom are quashed.

7. Parties shall abide by the terms of settlement.

8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 8, 2024/sm