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

+ CRL.M.C. 6485/2024

PUNEET KUMAR & ORS.

.....Petitioners

Through: Mr. M P Sinha, Mr. Yatharth Sinha
and Mr. Vikas Kumar, Advocates

versus

STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
SI Kailash Chand PS Sagarpur

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.08.2024

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1. This petition is filed seeking quashing of FIR No.829/2020 PS Sagarpur, under Sections 498A/406/34 IPC basis settlement arrived at between the parties by way of MOU dated 18th November 2023, which is on record of this Court.

2. As per settlement, a total amount of Rs.28 lakhs had to be paid to respondent no.2/complainant out of which outstanding balance of Rs.7,70,000/- is being tendered by way of 3 Demand Drafts, viz. two DDs drawn on ICICI Bank bearing Nos. 506400 and 506401 dated 19th August 2024 and 20th August 2024 respectively, for Rs.2.70 lakhs and Rs.3 lakhs respectively and third DD No.865341, drawn on SBI dated 20th August 2024 for Rs.2 lakhs. The same is received and acknowledged by respondent no.2 who states that she has no objection to quashing of the FIR since all other terms of settlement have been complied with.

3. Petitioner nos. 1, 2, 3, 5 and 6 are present in Court while petitioner



nos. 4, 7 and 8 are present through VC; all of them are duly identified by the IO and their counsel.

4. The marriage of petitioner no.1 and respondent no.2 culminated into decree of divorce dated 18th May 2024. No child was born out of this wedlock.

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.829/2020 PS Sagarpur, under Sections 498A/406/34 IPC 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. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 21, 2024/sm