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

+ **CRL.M.C. 6667/2024 & CRL.M.A. 25440/2024**

MANOJ KUMAR TAMTA & ANR.Petitioners

Through: **Mr. Sahil Sindhwani, Adv.**

versus

STATE NCT OF DELHI AND ANRRespondents

Through: **Mr. Digam Singh Dagar, APP for the
State with SI Ranjan, PS Bindapur
and SI Nisha Dahiya, PS Mohan
Garden.**

Mr. Akhil Sabharwal, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

27.08.2024

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1. This petition has been filed seeking quashing of FIR No.238/2022, under Sections 498A/406/34 IPC, PS Mohan Garden on the basis of a settlement dated 05th March, 2024 arrived at with the facilitation of Mediation Centre, Dwarka Courts, which is record on this Court.
2. As per the settlement, a balance amount of Rs.1,50,000/- is tendered *vide* DD No.026719 drawn on Canara Bank to respondent No.2, who has received it in Court. Petitioner Nos.1-2 and respondent No.2/complainant are present in Court and duly identified by the IO.
3. The marriage of petitioner No.1 and respondent No.2 has resulted in a divorce by decree dated 27th May, 2024. No child was born out of wedlock.
4. 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.238/2022, under Sections 498A/406/34 IPC, PS Mohan Garden and proceedings emanating therefrom are quashed.

5. Parties shall abide by the terms of settlement.
6. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 27, 2024/MK