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

+ **CRL.M.C. 7307/2024**

MUKESH KUMAR KARELA & ORS.Petitioners

Through: Ms. Richa Kapoor, Sr. Adv. with
Mohd. Zahid, Ms. Sumanchna,
Advocates with petitioners

versus

STATE GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Hitesh Vali, APP for State
SI Vijay Dahiya PS Prashant Vihar
Mr. Surender Mandal, Adv. for R-2

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

ORDER
04.11.2024

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1. This petition has been filed seeking quashing of FIR No.74/2023 PS Prashant Vihar under Sections 498A/34 IPC on the basis of settlement arrived at between the parties dated 20th April 2024 which is on record of this Court.

2. Petitioner no.1 and respondent no.2 are present in Court while petitioner nos.2 to 6 are present through VC, all of them are duly identified by IO and the respective counsel.

3. As per the settlement, full amount in total of Rs. 15 lakhs had to be paid to respondent no.2, out of which the outstanding balance of Rs.11 lakhs already stands paid and balance amount of Rs.4 lakhs is being tendered today *vide* DD No.962738 drawn on SBI dated 7th August 2024. The same has been handed over to respondent no.2 who has duly received it in Court.



4. The marriage of petitioner no.1 and respondent no. 2 resulted in a divorce by decree dated 7th June, 2024 but no child was born out of 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, subject to clearance of the demand draft, FIR No.74/2023 PS Prashant Vihar under Sections 498A/377/34 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. Respondent no.2 has a concern considering the draft is dated 7th August 2024 and will expire in a couple of days. She is at liberty to present the DD before the bank who shall duly assist her in clearance of the same on presentation. Copy of this order be given *dasti* to respondent no.2 for presenting the same along with DD to the bank in order that the bank may facilitate clearance of the draft.
9. Respondent no.2 is at liberty to approach this court in the event of lack of clearance of DD.
10. Copy of order be given *dasti* under signature of Court Master.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 4, 2024/sm