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

+ CRL.M.C. 7447/2024

JITENDER KUMAR & ORS.

.....Petitioners

Through: Mr. Vikas Singh, Advocate alongwith
petitioners in person.

versus

THE STATE NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Mukesh Kumar, APP for the State
with SI Jitender Kumar, P.S. Uttam
Nagar.

Mr. Surendra Singh Bhaduria,
Advocate for complainant/R-2
alongwith R-2 in person.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

20.09.2024

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CRL.M.A. 28435/2024 (Exemption)

1. Exemption is allowed subject to all just exceptions.
2. Application stands disposed of.

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3. This is a petition under section 528 of BNSS, 2023 seeking quashing of the FIR No.580/2015 dated 24.04.2015 registered under sections 498A/406 of the IPC, 1860 with P.S. Uttam Nagar and the consequent proceedings arising therefrom.

4. Learned counsel for the parties submit that under the aegis of the Mediation Centre at Dwarka Courts, the dispute between the parties has been amicably resolved and the same has been recorded in writing vide the report

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dated 23rd January, 2024. The same is placed on record as Annexure-P2 at page 29, and is taken on record.

5. Learned counsel for the parties state that the according to the terms of settlement, the petitioner no.1-husband is to pay a total sum of Rs.2,80,000/- to the respondent no.2/wife as full and final settlement of all her claims, including maintenance, dowry, *stridhan*, permanent alimony etc. The said amount was to be paid in four instalments of Rs.70,000/- each. It is stated that Rs.2,10,000/- are already paid to respondent no.2. The fourth instalment of Rs.70,000/- is being tendered to respondent no.2 in Court today *vide* a Demand Draft bearing no.076043 dated 12th September, 2024 drawn on Bank of Baroda, Gurgaon, the photocopy of which is taken on record. The same is tendered to respondent no.2, who affirms the said receipt. Respondent no.2, who is represented through a counsel also confirms and affirms the receipt of Rs.2,10,000/- as noted in the Settlement Report.

6. Learned counsel for the petitioner also states that respondent no.2 has already withdrawn the two Execution Petitions which were pending in the learned Trial Court.

7. It is also stated that there are no issues born from the marriage between the parties. Respondent no.2 states that she has received a sum of Rs.2,10,000/- earlier and has received the Demand Draft of Rs.70,000/-, as noted above today in the Court. She states that she has no further claims against the petitioner no.1-husband or his family members and is satisfied with the terms of the Settlement Report. This Court has perused the terms of settlement which appears to be lawful.

8. The Investigating Officer, who is present in Court, has identified all the parties.



9. In view of the above, this Court is satisfied that no purpose would be served in continuing with the FIR No.580/2015 dated 24.04.2015 registered under sections 498A/406 of the IPC, 1860 with P.S. Uttam Nagar and the further criminal proceedings emanating therefrom pending before the learned Trial Court.

10. In view of the above, FIR No.580/2015 dated 24.04.2015 registered under sections 498A/406 of the IPC, 1860 with P.S. Uttam Nagar and all consequential proceedings emanating therefrom are hereby quashed.

11. The petition stands disposed of.

TUSHAR RAO GEDELA, J

SEPTEMBER 20, 2024

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