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

+ **CRL.M.C. 8187/2024**

AKHILESH KUMAR

.....Petitioner

Through: Mr. Sanjay Kumar, Mr. Vishal
Bansal, Advs.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP with
SI Dinesh Kumar, PS Nand Nagri

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

06.12.2024

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1. This is a petition seeking quashing of FIR No. 0231/2016 filed under Sections 498A/406/34 IPC registered at PS Nand Nagri and consequential proceedings arising therefrom.
2. The quashing is predicated on an order dated 20.02.2024 passed by the Division Bench of this Court in MAT.APP.(F.C.) 120/2023. The operative portion reads as under:

“6. In sum, the parties agreeable to the disposal of the appeal in the following terms:

(i) The impugned judgment and decree, whereby the respondent/husband has been granted divorce shall remain undisturbed. The allegations made with regard to mental cruelty and desertion will stand expunged.



(ii) The respondent/husband will pay to the appellant Rs. 3 lakhs, albeit, in three installments of Rs.1 Lakh each. The first installment will be paid on or before 31.03.2024; the second installment will be paid on or before 30.04.2024; and the third and last installment will be paid on or before 30.05.2024. In case there is failure to pay the said installments, interest at 12% per annum would run on the unpaid amount.

(iii) The aforesaid payment of Rs.3 Lakhs will not absolve the respondent/husband from making payments as ordered by the concerned court in other proceedings, i.e. MC 307/2023 pending before Ms. Aneeta Bishnoi, J. MM, Family Court-5, Tis Hazari Courts, Delhi;

(iv) The appellant will assist the respondent in quashing of FIR No.0231/2016 registered under Sections 498A/406/34 IPC at PS-Nand Nagri”

3. Pursuant thereto, the petitioner has paid a sum of Rs. 3 lakhs. However, the respondent, who appears through VC, states that the interest on last instalment which comes to around Rs. 1,200/- is due and payable.

4. The same has been paid to the IO in cash today and can be taken by the respondent from the IO.

5. All the petitioners are present in court and are identified by Mr. Vishal Bansal, Adv. Respondent No. 2 is also present through VC and is identified by SI Dinesh Kumar, PS Nand Nagri.

6. In view of the order dated 20.02.2024 passed by the Division Bench in MAT.APP.(F.C.) 120/2023 and in view of the amount having been paid, FIR No. 0231/2016 filed under Sections 498A/406/34 IPC registered at PS



Nand Nagri and consequential proceedings arising therefrom are hereby quashed.

7. The petition is accordingly disposed of.

JASMEET SINGH, J

DECEMBER 6, 2024/DM

Click here to check corrigendum, if any