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

+ **W.P.(CRL) 3449/2024 & CRL.M.A. 33160/2024**

PRABHUL KUMAR AND ANR.

.....Petitioners

Through: Ms. Kiran Dharam, Advocate for
petitioners along with petitioners in
person.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(CRL.) with Mr. Abhinav Kumar
Arya, Ms. Priyam Aggarwal,
Advocates and SI Loveleen, PS: Moti
Nagar.

Mr. Manoj V George, Ms. Shilpa Liza
George, Ms. Devika and Ms. Chaahat
Khanna, Advocates for
Complainant/Respondent No.2 along
with complainant in person.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

06.11.2024

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1. This petition has been filed seeking quashing of FIR No.567/2020, registered at P.S. Moti Nagar, under Sections 498A/406/34 IPC on the basis of a settlement arrived at between the parties dated 11th April, 2023 before Counselling Cell, Family Courts, West District, Tis Hazari, which is on record of this Court.

2. Petitioners No.1 & 2 and respondent No.2 (complainant) are present



before this Court and are duly identified by IO and the respective counsels.

3. Respondent No.2 states that she has received the full settlement amount of Rs.28 Lacs noted in the settlement.

4. The marriage of petitioner No.1 and respondent No.2 has resulted in a divorce by decree dated 10th April, 2024; one male 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, the FIR No.567/2020, registered at P.S. Moti Nagar, Delhi, under Sections 498A/406/34 IPC and proceedings emanating therefrom are quashed.

6. Both parties shall be bound by the settlement.

7. Accordingly, the petition is disposed of. Pending application also stands disposed of as infructuous.

8. It is however made clear that the said settlement will not affect the rights of the minor child in future.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 6, 2024

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