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

+ **CRL.M.C. 8818/2024**

KULBHUSHAN CHAUDHARY & ANR.Petitioners

Through: **Mr. Akash Vajpai & Mr. Deepak Sood, Advs.**

versus

STATE (NCT) OF DELHI & ANR.Respondents

Through: **Mr. Sanjeev Sabharwal, APP for the State & Ms. Sanya Narula, Adv.**
ASI Shiv Kumar PS Shakarpur

Ms. Kamalakshi Singh & Ms, Saundarya Singh, Advs. for R-2 with R-2 in person

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
12.11.2024

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1. This petition has been filed seeking quashing of FIR No. 671/2023 registered at PS Shakarpur under Sections 406/498A/34 IPC on the basis of settlement arrived at between the parties dated 13th September 2024, arrived at with the facilitation of Counselling Cell, Karkardooma Courts, Delhi, which is on record of this Court.

2. Petitioner nos.1 and 2 and respondent no. 2 are present in Court and are duly identified by IO and the respective counsels. Respondent no.2 states that all aspects of settlement have been accounted for and she, therefore, has no objection to quashing of the FIR.

3. Divorce proceedings for dissolution of marriage of petitioner no.1



and respondent no.2 are underway and the first motion has already been passed. One child was born out of wedlock whose custody is with the petitioner no.1.

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. 671/2023 registered at PS Shakarpur under Sections 406/498A/34 IPC 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. It is however made clear that the said settlement will not affect the rights of the minor child in future.

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

ANISH DAYAL, J

NOVEMBER 12, 2024/sm/sc