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

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+ W.P.(CRL) 3591/2024 and CRL.M.A. 34393/2024

MONIKA GAUTAM AND ORS

.....Petitioners

Through: Mr. Pawan Prakash Pathak, Mr. Vijay Verma and Mr. Monu Kumar, Advocates along with Petitioners in person.

versus

STATE GOVT OF NCT DELHI AND ANRRespondent

Through: Mr. Abhinav Kr. Arya and Ms. Priyam Aggarwal, Advocates for Mr. Sanjay Lao, Standing Counsel (Crl.) for State and Insp. Sunil Kumar, PS Prashant Vihar.
Mr. Kshitiz Mahipal, Ms. Kairun Nisa, Advocates for R-2 along with .

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+ CRL.M.C. 8246/2024

RATTANDEEP & ORS.

.....Petitioners

Through: Mr. Kshitiz Mahipal, Ms. Kairun Nisa, Advocates along with Petitioners in person.

versus

**THE STATE GOVT. OF NCT OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Digam Singh Dagar, APP for State with SI Mohit Chahar, PS Vijay Vihar.
Mr. Pawan Prakash Pathak, Mr. Vijay Verma and Mr. Monu Kumar,



Advocates for R-2 along with R-2 in person.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL
ORDER
18.11.2024

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1. W.P.(CRL) 3591/2024 has been filed seeking quashing of FIR No.39/2019 under Sections 323/341/354/34 IPC registered at P.S. Prashant Vihar and CRL.M.C. 8246/2024 has been filed seeking quashing of FIR No. 432/2018 under Sections 498A/406/34 IPC registered at P.S. Vijay Vihar, on the basis of settlement dated 23rd, December, 2021, which is on record of this Court.
2. Petitioners and complainants in both the petitions are present in the Court and have been duly identified by the Investigating Officer and their respective counsels.
3. The amounts which are stated in the settlement have been received by the complainant Monika Gautam. The same is also recorded in the order dated 06th November, 2024 passed in CRL.M.C. 8246/2024.
4. The marriage of Rattandeep and Monika Gautam resulted in a decree of divorce dated 08th February, 2023. No child was born from the wedlock.
5. Monika Gautam, who is present in Court, undertakes that she will take necessary steps to withdraw another FIR bearing no. 70/2019, which is pending before the Rohini Courts.
6. 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, FIR No.39/2019 under Sections 323/341/354/34 IPC registered at P.S. Prashant Vihar and FIR No. 432/2018 under Sections 498A/406/34 IPC registered at P.S. Vijay Vihar and proceedings emanating from both the FIRs are quashed.

7. Parties shall abide by the terms of settlement.
8. Accordingly, the petitions are disposed of. Pending applications (if any) are disposed of as infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

NOVEMBER 18, 2024

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