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

+ CRL.M.C. 3721/2018 and CRL.M.A. 28710/2018

SHRI ANIL SHARMA & ANR.

..... Petitioners

Through: Mr. S.C. Singhal, Advocate with  
Mr.Anil Sharma/Petitioner in person.

versus

STATE & ANR.

..... Respondents

Through: Ms. Shubhi Gupta, APP with W/SI  
Priyanka Saini, PS: Najafgarh, for State.  
Respondent No.2 in person (through VC).

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

**14.05.2024**

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1. This petition has been filed on behalf of the Petitioners under Section 482 Cr.P.C. seeking quashing of FIR No.387/2007 dated 26.04.2007 under Sections 498A/406 IPC registered at PS: Najafgarh, Delhi and all proceedings emanating therefrom.
2. Petitioner No.2 expired during the pendency of the proceedings and his death certificate was placed on record. Amended memo of parties has been filed deleting Petitioner No.2 from the array of parties.
3. During the pendency of the petition, Petitioner and Respondent No.2 arrived at a mutual settlement of all their disputes. Marriage has been dissolved between them by a Decree of Divorce and the entire settlement amount was paid to Respondent No.2, save and except, a sum of Rs.2,50,000/-, in respect of which, parties were again levelling allegations against each other.



4. Petitioner and Respondent No.2 are present in Court and are identified by the Investigating Officer W/SI Priyanka Saini, PS: Najafgarh. Respondent No.2 acknowledges the receipt of Rs.2,50,000/- in her bank account on 13.05.2024 through RTGS. Petitioner, however, states that his property bearing No. RZ-77, Sai Baba Enclave, Tehsil Road, Najafgarh, New Delhi, is lying locked and the key is with Respondent No.2 and since the balance amount has been paid to her, she should be directed to hand over the keys.

5. Respondent No.2 states that she has not been living in the property for the last 18 years and none of her belongings are lying therein and it is open to the Petitioner to break open the lock and take possession.

6. Since all *inter se* disputes between Petitioner and Respondent No.2 stand resolved and settlement amount has been received by Respondent No.2, the State has no objection to the quashing of the FIR.

7. Accordingly, FIR No.387/2007 dated 26.04.2007 under Sections 498A/406 IPC registered at PS: Najafgarh, Delhi is quashed with all proceedings emanating therefrom. It is open to the Petitioner to break open the lock and take possession of the aforementioned property.

8. Petition is disposed of in the aforesaid terms. Pending application also stands disposed of.

**JYOTI SINGH, J**

**MAY 14, 2024**

**B.S. Rohella**