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

+ **CRL.M.C. 4210/2017**

MS KUSUM KAPUR & ANR

.....Petitioners

Through: **Mr. Anurag Bhatnagar, Adv.**

versus

STATE & ORS

.....Respondents

Through: **Mr. Digam Singh Dagar, APP for the
State SI Arvind PS Janakpuri.
Mr. Dinesh Priani, Mr. Dharmendra
Priani, Mr. J.R. Priani and Ms. Komal
Priani, Advs. for R-2.**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
30.09.2024

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CRL.M.A. 29550/2024

1. This application has been filed seeking early hearing of the petition on the basis that the settlement has been arrived at between the parties before the Delhi High Court Mediation and Conciliation Centre on 18th September, 2024. The settlement agreement has been placed on record.
2. In these circumstances, the application is allowed.
3. Application stands disposed of, accordingly.

CRL.M.C. 4210/2017

1. This petition has been filed seeking quashing of FIR No.786/2014 PS Janakpuri under Sections 498A/406/120-B IPC.
2. The petitioner Ms. Kusum Kapur is present before this Court and duly



identified by the IO. Nikhil Kapur, the husband of Kusum Kapur is stated to be unwell and, therefore, is unable to present himself before this Court and his presence is exempted. Ms. Priyanka Paul, the respondent is present through her power of attorney holder (her father Raj Kumar Paul) whose power of attorney is appended along with the mediation settlement. As per the settlement, an amount of Rs.12 Lacs is to be paid to Ms. Priyanka Paul. A DD No.867546 dated 06th September, 2024 drawn on Bank of Maharashtra, is handed over to Mr. Raj Kumar Paul, who is present in Court and duly identified by the counsel.

3. In these circumstances, respondent No.2 is no objection to the quashing of the said FIR.

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.786/2014 PS Janakpuri under Sections 498A/406/120-B 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. The next dated 16th December, 2024 stands cancelled.

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

ANISH DAYAL, J

SEPTEMBER 30, 2024/MK