

Sunil Kumar & Ors vs.the State & Anr

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Court : Delhi

Decided On : Dec-05-2019

Appellant : Sunil Kumar & Ors

Respondent : The State & Anr

Advocate for Def. : Mr. K.K. Ghai, Ms. Seema Gulati

Advocate for Pet/Ap. : Mr. L.P. Singh, Mr. Raj Chaudhary

Judgement :

\$~49 * IN THE HIGH COURT OF DELHI AT NEW DELHI Date of decision:

05. 12.2019 + CRL.M.C. 6240/2019 SUNIL KUMAR & ORS

... Petitioner

s Through: Mr. L.P. Singh and Mr. Raj Chaudhary, Advs. versus THE STATE & ANR

... RESPONDENTS

Through: Mr. K.K. Ghai, APP for State ASI Anil Kumar/ IO, PS-Kanjhawala Ms. Seema Gulati, Adv. for R-2 CORAM: HON'BLE MR. JUSTICE SURESH KUMAR KAIT

JUDGMENT

(ORAL) CRL. M.A. 41907/2019 1.

2. Allowed, subject to all just exceptions. Application is disposed of. CRL.M.C. 6240/2019 3. Vide the present petition, the petitioners seek quashing of FIR No.876/2015 dated 30.12.2015 registered at Police Station - Kanjhawala, Delhi and consequent proceedings arising therefrom.

4. Notice issued. CRL.M.C. 6240/2019 Page 1 of 3 5. Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

6. The petitioner no.1 and respondent no.2 got married on 22.11.2011 as per Hindu rites and rituals. One girl child was born out of the wedlock, namely, Bhavna. Due to extreme incompatibilities between the petitioners and respondent no.2, they started living separately from May, 2015.

7. The petitioners and respondent no.2 have entered into an amicable settlement vide settlement deed dated 09.10.2018 settled all their disputes amicably.

8. The total settlement amount is 5,75,000/- (Rupees Five Lakhs Seventy Five Thousand). It is submitted that the respondent No.2 has already received an amount of 4,00,000/- (Rupees Four Lakhs). A demand draft bearing No.904317 dated 15.10.2019 drawn on Punjab and Sind Bank for the balance amount of 1,75,000/- (Rupees One Lakh Seventy Five Thousand) is handed over to the respondent No.2 today in the Court.

9. The complainant is present in person with her counsel and has been identified by SI - ASI Anil Kumar/IO of Police Station - Kanjhawala, Delhi and submits that matter has been settled and she does not wish to prosecute CRL.M.C. 6240/2019 Page 2 of 3 the matter any further.

10. Taking into account the aforesaid facts, this Court is inclined to quash the FIR as no useful purpose would be served in prosecuting the petitioners any further.

11. For the reasons afore-recorded, the FIR No.876/2015 dated 30.12.2015 registered at Police Station - Kanjhawala, Delhi and consequent proceedings arising therefrom are hereby quashed.

12. The petition is allowed accordingly. Dasti. (SURESH KUMAR KAIT) JUDGE
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