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

\+ W.P.(CRL) 2705/2022

VIPIN RAO NAHAR AND OTHERS ..... Petitioners

Through: Mr. Amrish Kumar, Advocate with P-1.

versus

THE STATE AND ANOTHER ..... Respondents

Through: Mr. Anand V. Khatri, ASC for the State and S.I. Kamlesh, P.S. Bawana.
Mr. B. S. Solanki, Advocate for R-2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 23.03.2023

1. This petition has been filed for quashing of FIR No. 489/2021, P.S. Bawana under section 498A/406/34 IPC on the ground that the parties have settled the issues with a settlement deed dated 23.08.2022 which is on record of this court.

2. As per the settlement, a final balance amount of Rs. 1,00,000/-(Rupees One Lacs Only) is to be paid to respondent No.2 with a demand draft bearing no. 259411 which is duly handed over to respondent No.2 in the Court, who duly acknowledges the same.

3. Petitioner No.1 is also present in the court and duly identified by the counsel and IO. Petitioner Nos.2 to 11 are family and relatives of petitioner No.1 and are exempted from appearance on oral request of the counsel for the petitioner.

4. The marriage of respondent No.2 and petitioner No.1 has since resulted in a divorce by decree dated 10.10.2022. As per respondent No.2 all aspects of the settlement have been taken care of. One minor male child was

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born out of wedlock.

5. 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. 489/2021 under Sections 498A/406/34 IPC registered at PS Bawana and proceedings emanating therefrom are quashed.

6. Parties shall abide by the terms of settlement.

7. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

8. It is however made clear that the said settlement will not affect the rights of the minor child in future.

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

ANISH DAYAL, J

MARCH 23, 2023/AR

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