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

+ **CRL.M.C. 9838/2024, CRL.M.A. 37712/2024**

SIRAJ AHMED

.....Petitioner

Through: Mr. Shantanu M. Adkar, Adv.
Petitioner through VC.

versus

GOVERNMENT OF NCT DELHI & ANR.Respondents

Through: Mr. Hemant Mehla, APP for State
and SI Avaneesh Kumar, PS Krishna
Nagar.
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

16.12.2024

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CRL.M.A. 37711/2024

1. Exemption allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C. 9838/2024

2. The Present petition has been filed under section 482 Cr.P.C/528 BNSS for quashing of FIR No. 29/2012 dated 25.01.2012 registered under Section 498A/417/324/506 IPC at PS Krishna Nagar and all the other proceedings emanating therefrom on the basis of settlement entered into between the parties.
3. Learned counsel for the petitioner submits that the petitioner was convicted by the Ld. Trial Court for the offence punishable under



Section 324 IPC vide order dated 01.06.2019. The appeal filed against Criminal Appeal No. 112/2019 filed against the same was dismissed by Ld. ASJ vide order dated 06.10.2021. The petitioner aggrieved of this filed criminal revision petition bearing No. 436/2021 which is pending for disposal before this Court. Learned counsel submits that in the meanwhile, the parties were referred to the mediation and at Delhi High Court Mediation and Conciliation Centre, Delhi vide settlement agreement dated 18.12.2023 recorded a detailed and comprehensive settlement. Learned counsel submits that therefore the matter may be quashed.

4. Issue notice.
5. Learned APP for the State has accepted the notice.
6. Respondent No.2 has appeared in person and has accepted the notice and submits that the petitioner has not paid the monthly maintenance of Rs. 25,000/- per month for the months of March, April and May.
7. The petitioner states that in fact during this period the petitioner was living with respondent No.2 only and therefore this amount was not paid. However, respondent No.2 states that though she was living with the petitioner but the amount includes the educational expenses of the children.
8. Learned counsel for the petitioner seeks some time to take instructions.
9. List on 24.12.2024.

DINESH KUMAR SHARMA, J

DECEMBER 16, 2024/AR/NA..