

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

+ **CRL.M.C.No.2238/2008**

% **Date of decision : 04.08.2008**

Jagdish Kumar & Others Petitioners
Through: Mr.D.Puri, Advocate.

Versus

The State (NCT Of Delhi) & Another Respondents
Through : Mr. R.N. Vats, APP for State along
with W/ASI Narinder Kaur, P.S.
Lajpat Nagar.
Mr. Santosh Srivastava, Advocate
for respondent No.2 along with
respondent No.2 in person.

CORAM :-

* **HON'BLE MR. JUSTICE ANIL KUMAR**

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| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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Petitioner No.1, husband, and respondent No.2, wife, are present with their counsel. Learned counsel for the parties state that the matter between the parties has been resolved amicably. The marriage between the petitioner No.1 and respondent No.2 has been dissolved by an ex parte decree of divorce pursuant to the petition filed by the

respondent No.2 on the ground of cruelty. The ex parte decree has not been got set aside by the petitioner No.1.

Under the settlement, respondent No.2 became entitled for a total sum of Rs.1.75 lakh in full and final settlement of all the claims of respondent No.2 against the petitioner No.1. Out of Rs.1.75 lakh, Rs.1,05,000/- was paid earlier and Rs.70,000/- has been paid to her today in the court by a demand draft bearing No.092872 dated 22.07.2008 for an amount of Rs.35,000/- drawn on Punjab National Bank, Sector 37, Faridabad and another demand draft bearing 093023 dated 01.08.2008 for an amount of Rs.35,000/- drawn on Punjab National Bank, Sector 37, Faridabad.

Let the statement of respondent No.2 be recorded who is identified by her counsel.

Statement of respondent No.2 has been recorded. Respondent No.2 states that she has settled all her claims against the petitioner No.1 and she has received the settled amount of Rs.1.75 lakh. Learned counsel for the parties and respondent No.2 also state that no useful purpose shall be served in continuing the proceedings pursuant to FIR No.506/2001 under Sections 406/498A of Indian Penal Code registered at Police Station Lajpat Nagar, New Delhi, against the petitioners. It shall also be in the interest of justice to quash the said FIR and all the proceeding emanating therefrom. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to the quashing of the FIR.

Consequently, in the totality of facts and circumstances, FIR No.506/2001 under Sections 406/498A of Indian Penal Code registered at Police Station Lajpat Nagar, New Delhi, and all the proceedings emanating therefrom against petitioners are quashed.

The petition is disposed of.

Dasti.

August 04, 2008
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ANIL KUMAR, J.