

23

27.10.2010

Present: Petitioners in person with counsel Mr.N.Hariharan, Advocate.
Mr.Pawan Bahl, APP for the State.
Mr.S.C.Sharma, Advocate for the respondent No. 2.

+Crl.M.C. 2318/2010 & Crl.M.A. 12536/2010 (stay)

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No. 618/2005 under Sections 498-A/406/34 IPC registered at P.S. Hari Nagar at the instance of the respondent No. 2.

The reason for seeking quashing given in the petition is that the FIR is the result of a marital discord which has now been amicably settled and now there is no dispute left between the parties.

In pre-lunch session, a passover was given in the matter for appearance of respondent No. 2 in person. Respondent No. 2, however appeared just before lunch. She was identified by her counsel Sh. S.C.Sharma, Advocate and she confirmed that she has entered into a settlement with the petitioners voluntarily of her own accord without any inducement or threat and pursuant to the settlement, she has already received first installment of ₹ 1,50,000/-. She stated that balance payment of ₹ 1,00,000/- on her behalf be given to her counsel Sh. S.C.Sharma, Advocate when the case is taken up in post-lunch session.

Petitioners are present and they are identified by their counsel Sh. N.Hariharan, Advocate. Petitioner No. 1 has handed over a Banker's

cheque of ₹ 1,00,000/- bearing No. 230406 dated 26.10.2010 drawn on State Bank of Bikaner & Jaipur payable to respondent Alka Sharma to her father/counsel Sh.S.C.Sharma, Advocate.

The terms of compromise are spelled out in the statement of the parties made in the court of Additional Sessions Judge.

In view of the compromise arrived at between the parties, learned APP for the State has no objection if the instant FIR as well as the proceedings of the same are quashed.

From the aforesaid statements and the statement of respondent No. 2 made before the court today, I am satisfied that parties have amicably settled the matter and now there is no dispute left between them. Thus, I am of the view that no useful purpose shall be served by keeping the present FIR as well as the proceedings arising out the same alive and putting the petitioners to unnecessary litigation. Accordingly, FIR No. 618/2005 under Sections 498-A/406/34 IPC registered at P.S. Hari Nagar and the proceedings emanating from the same are hereby quashed.

Petition as well as miscellaneous application is disposed of.

Order dasti.

Red Dasti
FIR No. 618/2005
under Sec. 498-A/406/34 IPC
registered at P.S. Hari Nagar
is hereby quashed
25/11/2010
OCTOBER 27, 2010/akb

(Signature)
(AJIT BHARIHOKE)
JUDGE