

21.

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3453/2010 and Crl.M.A. 17030-17031/2010

DEEPAK BANSAL AND OTHERS.

..... Petitioners

Through: Mr. Shaminder Kadian, Advocate with
petitioners No.1, 3, 4 and 5 in person.

versus

STATE

..... Respondent

Through: Mr. Navin Sharma, APP for the State
with IO/SI Bhagwan Sahai, PS Sangam Vihar.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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02.11.2010

1. The present petition is filed by the petitioners under Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.546/2006, lodged by petitioner No.5/complainant against her husband, petitioner No.1 and the members of his family, petitioners No.2 to 4 under Sections 406/498A/34 IPC, registered with Police Station: Sangam Vihar, New Delhi.

2. Counsel for the petitioners states that the marriage of petitioner No.1 and petitioner No.5/complainant was solemnized on 10.07.2003 according to Hindu rites and ceremonies. One female child was born from out of the wedlock on 28.06.2004. The said child is in the custody of petitioner No.5/complainant. In the year 2004, due to

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temperamental disputes and differences between the parties, they separated. On 08.06.2006, the aforesaid FIR came to be lodged by petitioner No.5/complainant against her husband, petitioner No.1 and the members of his family, petitioners No.2 to 4. In the meantime, the parties explored the possibility of arriving at a negotiated settlement by interacting with each directly. Counsel for the petitioners states that in terms of the settlement, petitioners No.1 to 4 have agreed to pay a sum of ₹2 lacs to petitioner No.5/complainant in full and final settlement of all her claims against them. It is further agreed between the parties that the minor child shall remain in the custody of petitioner No.5/complainant. Counsel for the petitioners states that the aforesaid sum of ₹2 lacs has been deposited in the Family Court at Jaipur and the amount shall be released to petitioner No.5/complainant upon the divorce by mutual consent being granted.

3. Petitioner No.5/complainant is present in Court and is identified by the counsel for petitioners No.1 to 4. She confirms the fact that she has arrived at the aforesaid settlement of her own free will and volition and without any undue influence, pressure or coercion from any quarters.

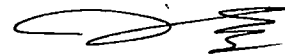
4. Learned APP for the State submits that after completion of the investigations, charge-sheet has been filed. He, however, states

that in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed. 3

5. This Court has heard counsels for the parties. In view of the submission made by petitioner No.5/complainant and in view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

6. Accordingly, the prayer made in the petition is allowed. FIR No.546/2006, lodged by petitioner No.5/complainant with Police Station: Sangam Vihar, New Delhi, and all proceedings arising therefrom stand quashed.

7. The petition is disposed of, alongwith the pending applications. File be consigned to the record room.



HIMA KOHLI, J

NOVEMBER 02, 2010
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