

99

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3589/2010

ATUL KUMAR SEHGAL

..... Petitioner

Through: Mr.Sunil Choudhary, Advocate with
petitioner in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr. H.S.Dhillon, Advocate for R-2
along with respondent No.2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

%

19.11.2010

1. The present petition is filed by the petitioner u/s 482 Cr.P.C. praying, *inter alia* for quashing of FIR No. 352/2009 lodged by the respondent No. 2 wife of the petitioner u/s 498A/406/34 IPC registered with P.S. Shahdara.

2. Counsel for the petitioner states that the marriage of the petitioner and respondent No. 2 was solemnized on 27/02/2009 in accordance with Hindu Rites. Thereafter within one month of the marriage, due to irreconcilable difference they parted company. On 04.11.2009, with the intervention of the Mediation Cell of Kakardooma

CRL.M.C. 3589/2010

Page No.1 of 3

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

2

Court, the parties have arrived at a settlement. It is stated that, in terms of the settlement arrived at between the parties, the petitioner has agreed to pay a sum of ₹1 lac to respondent No.2/complainant in two installments. The said amount has been agreed to be paid in view of the settlement reached by the parties, pursuant to which the decree of divorce has been passed, on the basis of the joint petition for mutual divorce filed by the parties. A copy of the judgment and decree dated 06.10.2010 is placed on record and marked as annexure B.

3. Counsel for respondent No.2/complainant confirms the aforesaid position. He states that respondent No.2/complainant has received the entire sum of ₹1 lac from the petitioner and nothing further is due and payable by the petitioner to respondent No.2. He further states that the respondent No.2/complainant has no objection to the FIR being quashed.

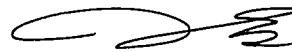
4. Learned APP for the State submits that after completion of the investigation, charge-sheet has been filed. However, in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed.

5. This Court has heard counsels for the parties. In view of the submission made by respondent No.2/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.352/2009, lodged by respondent No.2 with Police Station: Shahdara, Delhi, and all proceedings arising therefrom are quashed.

7. The petition is disposed of. File be consigned to the record room.



HIMA KOHLI, J

NOVEMBER 19, 2010
mr