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

+ W.P.(CRL) 2177/2015 & CrI. M.A.14298/2015

SHRI NILESH KUMAR Petitioner
Through Mr.Deepak Agarwal, Adv.

versus

STATE & ANR Respondents
Through Mr.Avninder Singh, ASC for the
State.
W/SI Narinder Kaur PS CAW/Nanak
Pura, New Delhi.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **03.12.2015**

The petitioner has sought quashing of the FIR No.52/2015 (PS CAW, Nanak Pura, New Delhi) instituted for offences under Sections 34/406/498-A of the IPC on the ground that the Delhi police does not have the territorial jurisdiction to investigate the case as no part of the offence took place in Delhi.

It was initially submitted by the petitioner that under pressure and compulsion, he had accepted an unreasonable terms of agreement for settling the dispute with his wife.

With the passage of time, the husband and wife have now decided to part ways amicably.

A fresh agreement has been entered into on 08.10.2015 wherein the parties have decided to get a divorce by mutual consent. The petitioner has

agreed to pay Rs.7 lacs towards full and final satisfaction of all claims of Aarti, his wife, towards her Istri Dhan (alimony) and other claims related to the matrimonial disputes.

The agreement sets out the stages at which the money would be paid. Since only the first instalment of money has been paid at the first motion for divorce, the present petition appears to be premature.

The petitioner and his wife can, if so advised, prefer a petition for quashing after the second motion and after performing their part of the obligation.

Considering this aspect of the matter, the present petition is dismissed as premature with the liberty to the petitioner as aforesaid.

ASHUTOSH KUMAR, J

DECEMBER 03, 2015
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