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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3888/2016 and Crl.M.A.No.16338/2016
ATUL PANDEY

..... Petitioner

Through: Mr.Sachin Bhardwaj, Advocate with
the petitioner in person.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Arun Kumar, P.S. Swaroop Nagar,
Delhi.
Mr.Anjan Kumar, Advocate for R2
with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **20.10.2016**

Crl.M.A.No.16388/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Accordingly, this application stands disposed of.

CRL.M.C. 3888/2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.266/2012, under Sections 498-A/406 IPC, P.S. Swaroop Nagar, North-West Delhi and all proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner-husband has amicably settled the matter with the respondent No.2/wife before the

Mediation Centre, Rohini Courts for a total sum of Rs.16,50,000/- (Rupees Sixteen Lakhs Fifty Thousand only), out of which three installments have already been paid to the respondent No.2/complainant and the last and remaining installment of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) has to be paid to her at the time of quashing of FIR. Counsel further submits that the marriage between the parties has already been dissolved by the Principal Judge, Family Courts, Rohini, North-West Delhi vide a decree of divorce dated 5th January, 2015. Counsel for the petitioner further submits that since nothing remains to be paid to the complainant and no dispute remains to be adjudicated upon by this Court, no useful purpose would be served by continuing the criminal proceedings against the petitioner, hence the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/ complainant, Ms.Rakhi Gaur is present in Court today along with her counsel and is identified by the Investigating Officer, SI Arun Kumar of P.S. Swaroop Nagar, North-West Delhi. Respondent No.2/complainant admits the fact of amicable settlement with the petitioner and the factum of dissolution of her marriage with the petitioner and receiving of the settled amount. She further submits that no further litigation exists between them and also submits that she has no objection if the FIR in question is quashed against the petitioner. A demand draft bearing No.678401 dated 7th September, 2016 in the sum of Rs.4,50,000/- towards the last instalment of the settled amount has been handed over to her by counsel for the petitioner which has been accepted and received by her.

Accordingly, keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties, in

the interest of justice and in order to settle the parties in their life in near future, in my view, no useful purpose will be served to continue with the criminal proceedings against the petitioner. Hence, FIR No.266/2012, under Sections 498-A/406 IPC, P.S. Swaroop Nagar, North-West Delhi titled *State vs. Atul Pandey* and all proceedings emanating therefrom are quashed.

The present petition is disposed of accordingly.

I.S.MEHTA, J

OCTOBER 20, 2016

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