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

+ **CRL.M.C. 1975/2017**

VIPUL YADAV & ORS

..... Petitioners

Through Mr. Jitender Kumar Garg,
Mr. Abhishek Gumar and
Mr. Sarat Kumar, Advs.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through Mr. Amit Ahlawat, Addl. PP for State
alongwith Insp. C.L. Meena.
Mr. Vireshwar Tyagi, Adv. for the
complainant.

CORAM:

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

% **16.05.2017**

It is a petition filed under Section 482 Cr.P.C. seeking quashing of the FIR No. 1432/2014 under Sections 498A/406/34 IPC, PS Shakarpur. It is the origination of matrimonial disputes amongst the complainant and her in-laws including the husband-petitioner no.1.

Parties have resolved their disputes and differences amicably with the intervention of the Family Court, East District. Settlement arrived at by the parties before the Principal Judge, Family Court, is as under :

“I have reached to settlement by the intervention of the court, whereby, the respondent has agreed to pay Rs.5.25 lacs to me towards full and final settlement of all my claims in respect of istridhan, maintenance/permanent alimony (past, present and future)for myself and my child master Raunak and also

towards satisfaction of the application of respondent U/s 24 of HMA bearing miscellaneous no. 112/14. In lieu thereof I have agreed to give divorce to the respondent by mutual consent and provide visitation of child master Raunak to the respondent and his parents for one hour at the time of recording statement on first motion and also at the time of recording statement on second motion in the court premises. The custody of the child shall remain with me permanently. The payment shall be made by the respondent/husband in three instalments. The first instalment of Rs.2.00 lacs shall be paid by respondent to me by way of DD at the time of recording of joint statement of parties on the first motion of divorce by mutual consent, the second instalment of Rs.2.00 lacs shall be paid to me at the time of recording of joint statement on second motion of divorce and third instalment of Rs.1.25 lacs shall be paid by respondent to me at the time of quashing of the FIR No. 1432/14 PS : Shakarpur, Delhi before Hon'ble High Court and I will co-operate with the respondent in quashing of FIR. The first motion shall be moved within 15 days. On the day of recording the statement on the first motion the respondent shall bring the documents i.e. my PAN Card, birth certificate of master Raunak and article i.e. Fridge, washing machine, T.V., Trolley, double bed, Almirah and the wearing clothes and delivered the same to me.”

Both the parties present before the Court, who are duly identified by the IO present in the Court, even today endorse the settlement, which came to be recorded before the Principal Judge, Family Court on 16.3.2016. Today, in pursuance of the settlement arrived at, a DD drawn on Bank of Maharashtra dated 28.3.2017 drawn in favour of the complainant Ms. Rita Yadav for Rs.1,25,000/- has come to be handed over by the petitioners to the complainant present before the Court. It goes without saying that the dispute is of a private nature. No challan is said to have even prepared and the matter still remains under investigation. The complainant and her husband i.e. petitioner no.1 in pursuance of the

compromise/settlement arrived at, have already been granted Decree of Divorce. In view of the compromise/settlement arrived at, it is not expected that any further investigation or trial of any of the offences would bear any fruit. Even otherwise, keeping in view the totality of the facts and circumstances, I am of the considered view of that the ends of justice require that the subject FIR i.e. FIR No. 1432/2014, PS Shakarpur be quashed. It is ordered accordingly. Petition stands disposed off accordingly.

A.K. CHAWLA, J

MAY 16, 2017/rc