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

+ **CRL.M.C. 4884/2017**

JAIPREET SINGH BAKSHI

..... Petitioner

Through: Mr.Taroon Goomber, Adv. with
Petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr.Arun Kr. Sharma, APP for State /
respondent No.1 with SI Bharat Singh
from PS-H.N.Din.

Mr.Amarjeet Sahni, Adv. for R.-2
with Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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24.11.2017

Crl.M.A.No. 19429/2017 (exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL. M.C. 4884/2017

The instant petition has been filed by the petitioner seeking quashing of FIR No.721/2014 for the offences punishable under Sections 498-A/34 of Indian Penal Code, 1860 (in short 'IPC'), registered at PS-Hazarat Nizamuddin, Delhi on the complaint of respondent No.2 and the proceedings pursuant thereto on the ground that a compromise/settlement dated 28.02.2017 has been arrived at between the parties in the matter.

Respondent No.2 is present in Court today and is identified by counsel and the Investigating Officer. She states that she has settled the matter with the petitioner of free will and choice without any threat, pressure and coercion as per Memorandum of Settlement dated 28.02.2017. As per said settlement, the petitioner was required to pay balance amount of ₹2,00,000/- to the respondent No. 2 at the time of quashing the FIR. She states that she has received a sum of Rs.2,00,000/- from the petitioner through demand draft No.111977 dated 13.11.2017 drawn on Corporation Bank, Rajouri Garden, New Delhi and she has no claim whatsoever remaining against the petitioner and does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Statements of the parties have been recorded separately.

However, during the course of hearing today, respondent No.2 showed her concern towards her children and informed the court that when she met and informed her children about the Memorandum of Settlement arrived at between the petitioner and her; the children were disturbed and showed their desire to meet her regularly.

Taking into perspective of the children bereft of MOU arrived at between the parties, in case the respondent No.2 get married before the children attains majority and children shows their willingness to meet their mother, the petitioner shall make an endeavour taking into consideration the emotions attached of theirs with respondent No.2, he shall arrange a meeting of the children and respondent No.2 as per their convenience on humanitarian ground without prejudice to his rights and binding legal

agreement entered between the parties. It is hoped and expected that the petitioner would keep in mind the emotions and feelings of the children and accede to their desire.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR. Consequently, the FIR No.721/2014 for the offences punishable under Sections 498-A/34 of Indian Penal Code, 1860 (in short 'IPC'), registered at PS-Hazarat Nizamuddin, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

NOVEMBER 24, 2017/ssc