

\$~14

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

+ CRL.M.C. 5783/2018 & CRL.M.As.47480-81 /2018

RAMESH BANSAL & ORS Petitioners

Through: Mr. Sunil Kumar, Advocate.

versus

THE STATE & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Sanjay Kaushik, PS
Sarai Rohilla, New Delhi
Mr. Kapil Jain, Advocate for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

19.11.2018

CRL.M.A. 47480/2018 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.A. 47481/2018 (for condonation of delay)

Delay, as not opposed, is condoned. Application stands disposed of.

CRL.M.C. 5783/2018

1. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.389/2016 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Sarai Rohilla, New Delhi and the proceedings

emanating therefrom.

2. The petitioner No.1 as well as the respondent No.2 present in the Court submitted that they have entered into a settlement before the Lok Adalat, Tis Hazari Courts, Delhi on 8.4.2017 and in terms thereof, divorce has already been granted by the competent Court to the petitioner No.1 and respondent No.2. Respondent No.2 submitted that the settlement has been arrived at on her own free will, without any force, pressure or coercion. She further submitted that she is yet to receive the balance payment of Rs.1,15,000/- and in case the said payment is made by the petitioners, she has no objection to the petition being allowed.

3. Learned counsel for the petitioners has handed over a demand draft for a sum of Rs.1,15,000/-, bearing No.953457, dated 1.10.2018, drawn on Corporation Bank, to the respondent No.2 in the Court today.

4. Learned counsel for the respondent No.2 as well as SI Sanjay Kaushik present in the Court have identified the petitioners as well as the respondent No.2 and verified the settlement arrived at between the parties. Respondent No.2 further submitted that the present petition may be allowed and the aforesaid FIR and proceedings emanating therefrom may be quashed.

5. In view of the aforesaid facts, the settlement arrived at between the parties and the divorce already been granted to the parties, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings.

Accordingly, in the interest of justice, FIR No. 389/2016, under Sections 498-A/406/34 of the IPC, registered with Police Station Sarai Rohilla, New Delhi and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 19, 2018/rk