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

+ CRL.M.C. 3772/2017

AJAY BHARTI

..... Petitioner

Through Mr. Vaibhav Shah, Adv

versus

STATE & ANR

..... Respondents

Through Ms. Meenakshi Dahiya, APP for State
SI Jai Kumar, PS Kalyanpuri
Respondent no.2 in person with child
Noopor Bharti.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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10.04.2018

On the last date of hearing respondent no.2 Ms. Vandana Bharti had placed reliance on Clause 7 of the Settlement Agreement arrived at before the Delhi Mediation Centre, Karkardooma Courts on 29th September, 2015 and stated that she was willing to give custody of minor daughter Noopor Bharti to petitioner Ajay Bharti. Petitioner stated that he was willing to take the custody of Noopor Bharti.

Today, Noopor Bharti, aged about 12 years, is present in the Court. Her custody has been handed over by respondent no.2 Vandana Bharti to petitioner Ajay Bharti, who is present in the Court. Respondent no.2 Vandana Bharti has also handed over relevant certificates including TC, which may be required at the time of admission of the child in AVP Public School, IP Extension, where petitioner intends to admit the child. Photocopies of these documents

have been taken on record.

Petitioner submits that he will get the child Noopor Bharti admitted in AVP Public School, I P Extension, New Delhi. Petitioner shall produce the proof of admission before the Investigation Officer within three weeks. thereafter, Investigating Officer shall verify the factum of admission of the child in the same school.

As per the settlement, petitioner has paid ₹3lacs to respondent no.2 towards the balance settled amount. He has also paid ₹20,000/- towards interest and ₹34,798/- towards arrears of 50% Education Expenses of Noopor Bharti, to respondent no.2 Vandana Bharti in terms of the settlement.

Respondent no.2 Vandana Bharti says that with this payment, entire settled amount stands paid and she has no objection in case the FIR No.1011/2014 under sections 498-A/406/34 IPC registered at police station Kalyanpuri, is quashed.

In the above facts and circumstances as noted above, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, the aforesaid FIR and the consequent proceedings emanating therefrom are quashed in view of the settlement arrived at between the petitioner and respondent no.2.

Petition is disposed of in the above terms. *Dasti.*

A.K. PATHAK, J

APRIL 10, 2018/sm