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

+ BAIL APPLN. 844/2017

SHIYAS HAMZA

..... Petitioner

Represented by: Mr.Shekhar G.Devasa, Advocate

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms.Rajni Gupta, APP for the State
with ASI Diwan Singh, PS Vivek
Vihar

Mr.Sarath S.Janaradhan, Advocate for
R-2

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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14.12.2018

Crl.M.A.Nos.49624-25/2018

Respective counsels for the applicants seek leave to withdraw these applications with liberty to file petition under Article 226 of the Constitution of India or Section 482 Cr.P.C. for quashing of FIR in question on the basis of compromise.

Applications are permitted to be withdrawn with liberty as prayed for.

Applications are dismissed as withdrawn.

Bail Appn.No.844/2017

1. By this petition, the petitioner seeks anticipatory bail in case FIR No.1029/2015 under Sections 498A/406 IPC registered at PS Vivek Vihar.

BAIL APPLN. 844/2017

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The parties have settled the matter terms whereof have been produced in CrI.M.A.No.49624/2018. The petitioner and complainant have agreed to seek divorce by mutual consent and in lieu of all claims of maintenance, streedhan, alimony etc. the petitioner will pay a total sum of ₹8 lakhs to the complainant.

2. Learned counsel for the petitioner on instructions from the petitioner and learned counsel for the complainant on instructions from the complainant submit that payments will be made in a phased manner as under:-

(i) Sum of ₹2 lakhs by way of a Demand Draft No.046951 dated 5th December, 2018 drawn on Axis Bank Ltd. has been handed over to the complainant in Court today and the complainant is identified by the learned counsel and the Investigating Officer.

(ii) Sum of ₹2 lakhs will be handed over to the complainant at the time of recording of statement for first motion for divorce by mutual consent.

(iii) Sum of ₹2 lakhs each will be handed over to the complainant at the time of recording of statement for second motion for divorce by mutual consent.

(iv) Balance amount of ₹2 lakhs will be handed over at the time of quashing of the FIR in question.

3. Since parties have settled the matter and today the complainant has received ₹2 lakhs, this Court deems it fit to grant anticipatory bail to the petitioner. It is, therefore directed that in the event of arrest, petitioner be released on bail on his furnishing a personal bond in the sum of ₹5,000/- with one surety bond of the like amount to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that he will join the

investigation as and when directed by the Investigating Officer.

4. Petition is disposed of.
5. Date of 16th January, 2019 is cancelled.
6. Order dasti.

MUKTA GUPTA, J.

DECEMBER 14, 2018
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