

\$~7

*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 5438/2018

AMARDEEP SINGH & ANR

..... Petitioners

Through: Mr. Vinay Sharma & Mr.
Prince Sharma, Advocates

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Badlu Ram, PS:Janak
Puri, Delhi
Mr. Vinod Malhotra & Mr.
Rahil Sahdev, Advocates for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

19.12.2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.245/2018, under Section 354 of the Indian Penal Code, 1860 ('IPC'), registered at PS: Janakpuri, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes, on their own free will, without any force, pressure or coercion, vide Settlement Agreement dated 28.9.2018 before the Mediation Centre CAW Cell, Government of NCT of Delhi, Police Station CAW Cell, Kirti Nagar, Delhi, in terms whereof the parties have already filed a petition for the grant of divorce

by way of mutual consent. Learned counsel for the parties further submitted that in terms of the settlement, the petitioners are ready and willing to pay a sum of Rs.6,00,000/- today in this Court, which is required to be paid for quashing of the FIR.

3. Learned counsel for the parties submitted that the parties shall remain bound by the terms and conditions of the Settlement agreement dated 28.9.2018.

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the Settlement arrived at between the parties.

5. Respondent No.2, who is present in Court along with her father, reiterated and submitted that the Settlement has been effected on their own free will, without any force, pressure or coercion and she does not want to pursue the criminal proceedings. She further submitted that she has to receive the payment of Rs.6,00,000/- at this stage from the petitioners and in case the said payment is made by the petitioners, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the petitioners have brought in Court a cheque, bearing No.000673, dated 23.10.2018, drawn on HDFC Bank, for a sum of Rs.3,00,000/- and a demand draft bearing No.508558, dated 25.10.2018, drawn on ICICI Bank, for a sum of Rs.3,00,000/-, which have been handed over to the respondent No.2.

7. In view of the aforesaid circumstances, the Settlement arrived at between the parties and the payment of Rs.6,00,000/- received today in Court by the respondent No.2 by way of a cheque and a demand draft, 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. 245/2018, under Section 354 of the Indian Penal Code, 1860 ('IPC'), registered at PS: Janakpuri, New Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 19, 2018

tp