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

+ CRL.M.C. 5510/2018

SHRI SURYA PRATAP SINGH & ORS. Petitioners

Through Mr. S.A. Rajput, Advocate

versus

STATE & ANR. Respondents

Through Mr. Kamal Kishore Ghai, APP
with SI Sarita, P.S. Aman Vihar

Mohd. Shariq, Advocate for
Respondent no.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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12.12.2018

1. Petitioners have filed the amended memo of parties. The amended memo of parties is taken on record.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 346/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Aman Vihar, Delhi and the consequential proceeding emanating therefrom.
3. Petitioners and respondent no.2 as well as their respective counsels submitted that the parties have amicably settled their disputes on their own free will, without any force

or coercion before Mediation Centre, Rohini District Court, Delhi vide Settlement Agreement dated 23.05.2018. In pursuance of the Settlement arrived at between the parties, the marriage between the Petitioner no.1 and Respondent no.2 stands dissolved by a decree of divorce dated 11.09.2018. Respondent no.2 submitted that in view of the settlement arrived at between the parties, petitioners have to pay the balance amount of Rs. 71,000/- to her. Learned counsel for the petitioners submitted that the petitioners have brought Rs. 71,000/- in cash and are willing to hand over the same to the Respondent no.2 in the court.

4. Respondent no.2 also submitted that the petitioners have failed to deliver her certain jewellery articles in terms of the settlement. It was agreed between the parties that petitioners will make a payment of Rs. 40,000/- to Respondent no.2 in lieu of the jewellery articles which the petitioners have failed to return.

5. Petitioners are ready to pay Rs. 71,000/- as well as Rs. 40,000/- to Respondent no.2 as agreed between the parties and they have handed over a total sum of Rs. 1,11,000/- in cash to Respondent no.2 in court today.

6. The respondent no.2 further submitted that in view of the settlement arrived at between the parties and the payment of Rs. 1,11,000/-, she has no objection to the petition being allowed and the FIR being quashed.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified about the settlement.

8. In view of the aforesaid circumstances and the Settlement arrived at between the parties as well as the payment made to the Respondent no.2, 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. 346/2016, under Sections 498-A/406/34 IPC registered at P.S.: Aman Vihar, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in the above terms.

CHANDER SHEKHAR, J

DECEMBER 12, 2018

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