

\$~10

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

+ CRL.M.C. 5648/2018 & CRL.M.A. 35815/2018

RAVI & ORS

.... Petitioners

Through: Mr. Vinay Kumar and Mr.
Pavitra Veer Singh, Advs.

versus

THE STATE (GNCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Nitin, PS Farsh Bazar

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **12.11.2018**

CRL.M.A. 35815/2018 (for exemption)

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

CRL.M.C. 5648/2018

1. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.346/2017 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Farsh Bazar, Delhi and the proceedings emanating therefrom.

2. Learned counsel for the parties submitted that a settlement dated 6.1.2018 was arrived at between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi and in terms thereof, divorce has already been granted by the competent Court to the

parties. Learned counsel for the parties further submitted that a sum of Rs.3,00,000/- has already been paid by the petitioners to the respondent No.2 and only a balance amount of Rs.60,000/- is required to be paid in terms of the settlement dated 6.1.2018. Learned counsel for the petitioners submitted that the petitioners are ready to pay the balance amount in the Court today. Hence, the present petition may be allowed.

3. Learned counsel for the respondent No.2 as well as SI Nitin present in the Court has identified the petitioners as well as the respondent No.2 and verified the settlement arrived at between the parties. The respondent No.2 submitted that the settlement was arrived at between the parties on her own free will, without any pressure or coercion. Respondent No.2 further submitted that as per the settlement an amount of Rs.3,60,000/- was required to be paid and out of which, an amount of Rs.3,00,000/- has already been paid and only a sum of Rs.60,000/- is required to be paid by the petitioners to her. Respondent No.2 further submitted that after the payment of Rs.60,000/-, the present petition may be allowed and the aforesaid FIR and proceedings emanating therefrom may be quashed.

4. The petitioners have paid the amount of Rs.60,000/- to the respondent No.2 in cash today.

5. Learned counsel for the petitioners and respondent No.2 submitted that in view of the payment of Rs.60,000/- paid by the petitioners to the respondent No.2 and also in the interest of justice, the aforesaid FIR as well as the proceedings emanating therefrom may

be quashed.

6. In view of the aforesaid facts as well as the fact that the settlement was effected between the parties before the Delhi Mediation Centre, Karkardooma Courts, Delhi and the divorce has already been granted to the parties, this Court is of the view that no fruitful purpose would be served in keeping them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 346/2017, under Sections 498-A/406/34 of the IPC, registered with Police Station Farsh Bazar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 12, 2018/rk