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

+ **CRL.M.C. 5595/2018 & CRL.M.A. 35556/2018**

HIRDESH @ HARDESH & ORS Petitioners

Through: Mr. Vinod Bhardwaj & Mr.
Rahul Sharma, Advocates

versus

STATE OF GOVT OF NCT OF DELHI & ORS....Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Rizwan Khan,
PS:Seelampur, Delhi
Mr. Gajendra Singh, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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01.11.2018

1. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.185/2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961, PS:Seelampur, Delhi registered by respondent No.2 against the petitioners.

2. Learned counsel for the parties, on instructions, submitted that the matter between the parties has been settled before the Counselling Cell, Family Court, Karkardooma Court, Delhi vide settlement deed dated 2.6.2018. It is further

stated that, in view of the settlement, the parties have been granted divorce and only a sum of Rs.2,00,000/- is required to be paid to respondent No.2, which the petitioner is ready and willing to pay.

3. Respondent No.2, who is present in Court, has been identified by the Investigating Officer as well as her counsel and they have verified the settlement effected between the parties. Respondent No.2 submitted that the settlement has been effected on her own free will, without any force, pressure or coercion and that in view of the settlement, the present petition may be allowed.

4. Learned counsels for the parties have also submitted that the daughter, Harshita, shall remain in the custody of respondent No.2, as per the settlement between the parties.

4. In view of the aforesaid circumstances, the settlement effected between the parties and the balance payment of Rs.2,00,000/- received today in Court by the respondent No.2 by way of demand draft No.541262, dated 31.10.2018, drawn on State Bank of India, 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.185/2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961, PS:Seelampur, Delhi and the proceedings emanating therefrom are quashed. The parties shall remain bound by the

terms of the settlement.

5. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 01, 2018

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