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

+ **CRL.M.C. 6118/2018 & CRL.M.A. 48698/2018**

SACHIN SHAH & ORS Petitioners

Through: Mr. Vireshwar Tyagi, Adv.
Petitioners in person

versus

THE STATE OF DELHI & ANR Respondents

Through: Mr. Kamal Kumar Ghei, APP
with Insp. Davendra Rathi,
SHO/Jagatpuri, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **04.12.2018**

CRL.M.A. 48698/2018 (for exemption)

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

CRL.M.C. 6118/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.480/2015 under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at Police Station Jagat Puri, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2, who is present along with her sister, as well as their respective counsel submitted that a settlement has been arrived at between the parties in the Court of

learned Principal Judge, Family Courts, Karkardooma Courts, Delhi on 13.1.2017.

3. Learned counsel for the petitioners as well as respondent No.2 submitted that the marriage between the petitioner No.1 and respondent No.2 stands dissolved by way of decree of divorce dated 23.10.2017 by mutual consent of the parties under Section 13-B (2) of the Hindu Marriage Act, 1955, copy whereof has been placed on record.

4. Respondent No.2, who is present along with her sister, submitted that in terms of the settlement between the parties, the petitioners have to pay a balance sum of Rs.2,50,000/- to respondent No.2, which the petitioner No.1 is ready and willing to pay.

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

6. Respondent No.2, who is present along with her sister, submitted that the settlement has been arrived at between the parties on their own free will, without any force, pressure or coercion. Respondent No.2 further submitted that in case payment of Rs.2,50,000/- is made to her, she would have no objection to the petition being allowed and the quashing of the FIR.

7. The petitioner No.1 has handed over a demand draft bearing No.704856 dated 3.12.2018 for an amount of Rs.2.50,000/- to the respondent No.2.

8. In view of the aforesaid circumstances and the settlement arrived at between the parties, 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.480/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at Police Station Jagat Puri, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 04, 2018/rk