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

+ **CRL.M.C. 5901/2018**

JATINDER SINGH

..... Petitioner

Through: Mr. Nikhil Malhotra, Advocate

versus

STATE OF DELHI & ANR

.... Respondents

Through: Mr. Kamal Kumar Ghai, APP
with ASI Vishal Tiwari,
PS:Vikas Puri, New Delhi
Mr. S. Satyanarayan, Advocate
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **26.11.2018**

CRL.M.A.47871 /2018

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 5901/2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.276/2016, dated 4.3.2016, under Sections 406/498-A/34 of the Indian Penal Code, 1860, registered at PS:Vikas Puri, New Delhi and the proceedings emanating therefrom.

2. Learned counsel for the petitioner as well as learned counsel for respondent No.2 submitted that the parties have

entered into a settlement before the Additional Principal Judge, Family Court (West), Delhi on 10.11.2017, in pursuance of which the petitioner and respondent No.2 have been granted divorce on 6.8.2018.

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

4. Respondent No.2 submitted that the settlement has been arrived at on her own free will, without any force, pressure or coercion. She further submitted that she is yet to receive the balance payment of Rs.3,00,000/- and in case the said payment is made by the petitioner, she has no objection to the petition being allowed and the quashing of the FIR.

5. Learned counsel for the petitioner has brought in Court a demand draft for a sum of Rs.1,00,000/-, bearing No.193866, dated 4.9.2018, drawn on IndusInd Bank and a fixed deposit for a sum of Rs.2,00,000/-, bearing No.300723428670, dated 23.8.2018, drawn on IndusInd Bank, which have been handed over to the respondent No.2 in Court today.

6. Respondent No.2 submitted that in view of the handing over of the aforesaid demand draft and fixed deposit, the FIR No.276/2016 be quashed and the petition be allowed.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and the payment of Rs.3,00,000/-

received today in Court by the respondent No.2 by way of a demand draft and fixed deposit, 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.276/2016, dated 4.3.2016, under Sections 406/498-A/34 of the Indian Penal Code, 1860, registered at PS:Vikas Puri, New Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 26, 2018

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