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

+ **CRL.M.C. 5861/2018 & CRL.M.A. 47723/2018**

AJAY & ORS

.... Petitioners

Through: Mr. Mobin Akhtar, Advocate

versus

THE STATE (GOVT OF NCT OF DELHI)

& ANR

.... Respondents

Through: Mr. Panna Lal Sharma, APP
with SI Omveer Singh,
PS:Nand Nagri, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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29.11.2018

CRL.M.A.47723/2018

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

CRL.M.C. 5861/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.452/2014, under Sections 498A/406/323/109/506/34 of the Indian Penal Code, 1860, registered at PS:Nand Nagri, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have entered into a settlement dated 6.1.2018 before the Delhi Mediation Centre, Karkardooma Courts, Delhi, in terms whereof divorce has been granted to the petitioner No.1 and respondent No.2 and the marriage stands dissolved by a decree of divorce dated 12.10.2018, copy whereof has been placed on record.

3. Learned counsel for the petitioners submitted that in terms of the settlement between the parties, the petitioner No.1 has already paid a sum of Rs.6,00,000/- and only a balance sum of Rs.1,00,000/- is required to be paid by petitioner No.1 to respondent No.2, which the petitioner No.1 is ready and willing to pay.

4. 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.

5. Respondent No.2, who is present along with her brother, 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 she has received a sum of Rs.6,00,000/- and is yet to receive the balance sum of Rs.1,00,000/-. She further submitted that in case the balance payment of Rs.1,00,000/- is made to her, she would have no objection to the petition being allowed and the quashing of the FIR.

6. The petitioner No.1 has handed over a demand draft bearing No.231955 dated 3.11.2018 for an amount of Rs.1,00,000/- drawn on Central Bank of India to the respondent No.2 in Court today.

7. 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. 452/2014, under Sections 498A/406/323/109/506/34 of the Indian Penal Code, 1860, registered at PS:Nand Nagri, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 29, 2018

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