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

+ **CRL.M.C. 6257/2018**

HANUMAN SAHAY & ANR.

..... Petitioners

Through: Mr. Satyendra Kumar Singh
and Ms. Arunav Tewari, Advs.

versus

STATE & ANR.

.... Respondents

Through: Mr. Ashish Dutta, APP with SI
Anup Rana, PS Uttam Nagar,
Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **10.12.2018**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.901/2007 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Uttam Nagar, New Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2, who is present along with her father, as well as the learned counsel for the parties submitted that the parties have entered into a settlement agreement dated 30.05.2018 before the Counselling Cell presided over by learned Additional Principal Judge (West), Tis Hazari Courts, Delhi in pursuance whereof, the marriage between petitioner No.1 and respondent No.2 has been dissolved vide a decree of divorce.
3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also

verified the settlement arrived at between the parties.

4. The petitioners and the respondent No.2, present in the Court, stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioners have to pay the balance amount of Rs.7,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.7,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioners submitted that the petitioners have brought two Demand Drafts bearing Nos.040579 dated 6.12.2018 for an amount of Rs.4,00,000/- and 040449 dated 22.12.2018 for an amount of Rs.3,00,000/- which have been handed over to the respondent No.2. The parties submitted that in view of the payment of the balance amount as well as in the interest of justice, the aforesaid petition may be allowed.

6. In view of the aforesaid circumstances, 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.901/2007 under Sections 498-A/406/34 of the IPC, registered at Police Station Uttam Nagar, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 10, 2018/rk