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

+ CRL.M.C. 6004/2018 & CRL.M.A. 48258/2018

SHRI RAVI SHRIVASTAV & ORS Petitioners

Through: Mr. K.K. Srivastava, Adv.

versus

THE STATE GOVT OF NCT OF DELHI

& ANR

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Dinesh Kumar, PS
Kamla Market
Mr. Mukesh Kumar, Adv. for
R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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29.11.2018

CRL.M.A. 48258/2018 (for exemption)

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

CRL.M.C. 6004/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.106/2017 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Kamla Market, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned counsels for the parties submitted that the parties have entered into a settlement agreement dated 28.5.2018 in pursuance whereof, the

marriage of petitioner No.1 and respondent No.2 has been dissolved vide decree of divorce dated 13.8.2018 pronounced by Judge, Family Court, Central District, Tis Hazari Courts, New Delhi.

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 payment of Rs.2,00,000/- has already been made and the petitioners have to pay the balance amount of Rs.1,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.1,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the FIR being quashed.

5. The petitioners have handed over a demand draft bearing No.473844 dated 26.11.2018 for an amount of Rs.1,00,000/- to the respondent No.2 in Court. 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.106/2017 under Sections 498-A/406/34 IPC, registered at Police Station Kamla

Market, 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

NOVEMBER 29, 2018/rk