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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6167/2018

VIKRANT CHUGH & ORS

..... Petitioners

Through: Mr. Rajal Rai, Advocate for
petitioner Nos.1, 2 and 6

versus

STATE & ANR

..... Respondents

Through: Mr. Kamal Kumar Ghai, APP
Ms. Preeti Chaudhary,
Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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14.12.2018

1. Status report has been filed, wherein it is stated that the special power of attorney executed in favour of petitioner No.1 by petitioner Nos.3 and 4, dated 3.12.2018 has been executed before the Assistant Consular Officer, High Commission of India, London, U.K. So far as the special power of attorney executed by Ms. Vibhuti Khanna, the petitioner No.5 is concerned, she has also executed special power of attorney in favour of petitioner No.1, Vikrant Chugh.

2. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0325/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Model Town, Delhi.

3. Learned counsel for the petitioners as well as respondent No.2 submitted that the parties have settled their disputes, on their own free will, without any force, pressure or coercion, vide Memorandum of Understanding ('MoU') dated 31.8.2018, in terms whereof the marriage between petitioner No.1 and respondent No.2 stands dissolved by way of a decree dated 26.11.2018.

4. The Investigating Officer ('IO'), who is present in Court, has identified the respondent No.2 and has also verified the MoU arrived at between the parties.

5. Respondent No.2 reiterated and submitted that the settlement has been effected 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.4,00,000/- and in case the said payment is made by the petitioners, she has no objection to the petition being allowed and the quashing of the FIR.

6. Learned counsel for the petitioners submitted that the petitioner No.2, on behalf of the petitioners, is ready and willing to pay the amount of Rs.4,00,000/- in the Court vide two demand drafts for a sum of Rs.2,00,000/- each, bearing Nos. 501267 and 501269, dated 30.11.2018 and 1.12.2018, drawn on ICICI Bank, which have been handed over to the respondent No.2.

7. In view of the aforesaid circumstances, the MoU arrived at between the parties and the balance payment of Rs.4,00,000/-

received today in Court by the respondent No.2 by way of the two demand drafts, 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. 0325/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Model Town, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 14, 2018

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