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

+ **CRL.M.C. 6332/2018**

NANDAN SINGH DEOLIA & ORS. Petitioners

Through: Mr. Robin Tyagi & Mr. Paras,
Advocates

versus

STATE & ANR. Respondents

Through: Mr. Panna Lal Sharma, APP
with ASI Sukhdev, PS:Uttam
Nagar, Delhi
Mr. Manish Kumar Singh &
Mr. Amrendra Chaubey,
Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.12.2018

CRL.M.A. 49576/2018 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6332/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.830/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Uttam Nagar,

Delhi and the proceedings emanating therefrom.

2. Petitioners as well as respondent No.2 are present in Court along with their respective counsel, who submitted that the parties have arrived at a settlement before the Delhi Mediation Centre, Dwarka Courts, Delhi vide Settlement/Agreement dated 22.12.2016, in terms whereof the marriage between the petitioner No.1 and respondent No.2 stands dissolved by way of decree of divorce by mutual consent dated 28.10.2017 and all the payments have been made, except payment of Rs.75,000/.

3. 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 the Settlement/Agreement arrived at between the parties.

4. Respondent No.2 submitted that the settlement has been arrived at between the parties on their own free will, without any force, pressure or coercion. She further submitted that she is yet to receive the balance payment of Rs.75,000/- and in case the said payment is made by the petitioner No.1, she has no objection to the petition being allowed and the quashing of the FIR.

5. The petitioners stated that they are ready to pay a sum of Rs.75,000/- to the respondent in cash, which has been paid to the respondent No.2 in Court today.

6. Respondent No.2 submitted that in view of the payment of Rs.75,000/- in cash in the court today, the petition may be allowed and FIR may be quashed.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties, the payment of Rs.75,000/- in cash received today in Court by respondent No.2 and divorce between petitioner No.1 and respondent No.2, 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. 830/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Uttam Nagar, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 13, 2018

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