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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6590/2018**
SH. ARUN KUMAR & ORS. Petitioners
Through: Mr. Vishva Nath Kumar,
Advocate

versus

STATE & ANR Respondents
Through: Mr. Kamal Kumar Ghai, APP
with SI Kamlesh Kumar,
PS:Ranjit Nagar, Delhi
Counsel (name not given) for
respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **21.12.2018**

CRL.M.A. 50550/2018

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6590/2018

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.178/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Ranjit Nagar, New Delhi.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes, on their own free will, without any force, pressure or coercion, vide Settlement dated 9.6.2017 before the Delhi Mediation Centre, Tis Hazari Courts, New Delhi in terms whereof it has been agreed that the petitioner No.1 will pay Rs.9,00,000/- to respondent No.2 and out of the said amount of Rs.9,00,000/-, petitioner No.1 has already paid Rs.6,00,000/- and the balance payment of Rs.3,00,000/- is required to be paid.

3. Learned counsel for the parties further submitted that the marriage between petitioner No.1 and respondent No.2 stands dissolved by way of a decree of divorce dated 21.3.2018 under Section 13 B(2) of the Hindu Marriage Act, 1955.

4. 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.

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.3,00,000/- 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.

6. Learned counsel for the petitioners submitted that the petitioners have brought in Court four demand drafts – two

demand drafts for Rs.50,000/- each, bearing Nos.893186, drawn on Corporation Bank, dated 17.12.2018 and 510837, drawn on ICICI Bank, dated 20.12.2018 and two demand drafts for Rs.1,00,000/- each, bearing Nos. 510838, drawn on ICICI Bank, dated 20.12.2018 and 022900, drawn on Canara Bank, dated 17.12.2018, which have been handed over to the respondent No.2 in Court today.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties, the divorce being granted and the balance payment of Rs.3,00,000/- received today in Court by the respondent No.2 by way of four 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. 178/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Ranjit Nagar, New Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 21, 2018

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