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

+ **CRL.M.C. 6395/2018 & CRL.M.A. 49804/2018**

DEEPAK & ORS.

.... Petitioners

Through: Mr. Pravnav Siroha, Adv. with
petitioners in person

versus

STATE & ANR.

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with ASI Rajender Singh, PS
Alipur
Mr. Vimal Duggal, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.12.2018

CRL.M.A. 49804/2018 (for exemption)

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

CRL.M.C. 6395/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.689/2015 dated 3.8.2015 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered with Police Station Alipur, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned

counsel for the parties submitted that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion before the Judge, Family Court, Rohini, Delhi as is evident from order-sheet dated 10.04.2018 in pursuance whereof, their marriage has been dissolved vide a decree of divorce dated 12.9.2018.

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 along with her mother, 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 had to pay an amount of Rs.4,00,000/- out of which, Rs.3,00,000/- have already been paid to respondent No.2 and a balance amount of Rs.1,00,000/- has to be paid 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 quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.037760 dated 18.10.2018 for an amount of Rs.1,00,000/- which has been handed over 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.689/2015 dated 3.8.2015 under Sections 498-A/406/34 of the IPC, registered at Police Station Alipur, 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 17, 2018/rk