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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6424/2018**

ASHOK BEHAL

..... Petitioner

Through: Mr. Prashant Gautam,
Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Kamal Kumar Ghai, APP
Mr. S.S. Hora, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **17.12.2018**

CRL.M.A. 49905/2018 (for exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 6424/2018

1. The petitioner has moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.4/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Paschim Vihar, Delhi and the proceedings emanating therefrom.

2. Learned counsel for the petitioner 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 Settlement dated 2.11.2017 before the Counselling Cell, Additional Principal Judge (West), Tis Hazari Court, Delhi, in terms whereof the marriage between petitioner No.1 and respondent No.2 stands dissolved by way of a decree of divorce dated 17.8.2018 and the necessary payments have already been made.

3. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the Settlement arrived at between the parties.

4. 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.90,000/- and in case the said payment is made by the petitioner, she has no objection to the petition being allowed and the quashing of the FIR.

5. Learned counsel for the petitioner submitted that the petitioner has brought in Court two demand drafts for a sum of Rs.45,000/- each, bearing Nos. 037162, dated 27.09.2018 and 037170, dated 28.09.2018, drawn on Punjab National Bank, which have been handed over to the respondent No.2.

6. In view of the aforesaid circumstances, the Settlement arrived at between the parties and the balance payment of Rs.90,000/- 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. 4/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:Paschim Vihar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 17, 2018

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