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

+ **CRL.M.C. 6460/2018 & CRL.M.A. 50051/2018**

SH. ANKUR WADHWA Petitioner

Through: Mr. Akshay Kumar Verma,
Adv. with petitioner in person

versus

STATE & ANR. Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Kartar Singh, PS
Bindapur, New Delhi
Mr. Shashi Shanker, Ms. Pooja
Mahanani and Ms. Yatika
Chaudhary, Advs. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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18.12.2018

CRL.M.A. 50051/2018 (for exemption)

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

CRL.M.C. 6460/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1555/2015 under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered with Police Station Bindapur, South-West District, New Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2, who is present along with

her sister, as well as the learned counsel for the parties submitted that the parties have settled the matter vide a Memorandum of Understanding dated 14.3.2018 in pursuance whereof, their marriage has been dissolved vide a decree of divorce dated 21.8.2018.

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. The petitioner and the respondent No.2, present in the Court, stated that the settlement was arrived at between them on their own free will, without any force, pressure or coercion, in terms whereof the petitioner has to pay the balance amount of Rs.4,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioner makes the payment of Rs.4,00,000/- in terms of the settlement, she has no objection to the quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioner submitted that the petitioner has brought a Demand Draft bearing No.665189 dated 15.12.2018 for an amount of Rs.4,00,000/- 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.1555/2015

under Sections 498-A/406/34 of the IPC, registered at Police Station Bindapur, South-West District, 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 18, 2018/rk