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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 55/2019**

NITIN KUMAR & ORS Petitioners
Through: Mr. Sushant Mukund,
Advocate

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through: Mr. Panna Lal Sharma, APP
with WSI Mamta, GTB
Enclave, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **09.01.2019**

CRL.M.A. 280/2019

Allowed, subject to all just exceptions. The application is disposed of.

CRL.M.C. 55/2019

1. The petitioners have moved the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.342/2016, under Sections 498-A/406/354/328/377/506/323/34 of the Indian Penal Code, 1860, registered at PS:GTB Enclave, Delhi and the proceedings emanating therefrom.

2. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on

their own free will, without any force or coercion, before the Family Court, Karkardooma, Delhi vide Settlement dated 11.9.2018, in pursuance whereof the marriage between petitioner No.1 and respondent No.2 stands dissolved under Section 13 B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 1.11.2018. Learned counsel for the petitioners submitted that in terms of the Settlement arrived at between the parties, the petitioners have already paid Rs.3,00,000/- to respondent No.2 and are ready and willing to pay the balance sum of Rs.2,00,000/- to respondent No.2.

3. Respondent No.2 further submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioner No.1 pays the balance amount of Rs.2,00,000/- to her, which is required to be paid as per the terms of the Settlement.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.374302, dated 27.11.2018, drawn on The Delhi State Co-operative Bank Ltd., for an amount of Rs.2,00,000/-, which has been handed over to the respondent No.2 today in the Court.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified about the said Settlement.

6. Respondent No.2 further submitted that in view of the payment of the balance amount of Rs.2,00,000/-, the petition

may be allowed and the FIR may be quashed.

7. In view of the aforesaid circumstances, the Settlement arrived at between the parties, the divorce of petitioner No.1 and respondent No.2 and the balance amount received by 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. 342/2016, under Sections 498-A/406/354/328/377/506/323/34 of the Indian Penal Code, 1860, registered at PS:GTB Enclave, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 09, 2019

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