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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 6618/2019

ATTAR SINGH & ANR

..... Petitioners

Through: Mr. Ishan Ahmad Advocate

versus

THE STATE (GOVT. OF N.C.T OF DELHI) & ANR

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with SI Subhash Chandra,
PS:S.P. Badli, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.12.2019

1. Issue notice. Notice is accepted by the learned APP for the State and by respondent No.2, who is present in Court.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0947/2015, under Sections 354/498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Samaipur Badli, Delhi and the proceedings emanating therefrom.
3. 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 Counselling Cell, learned Judge, Family Courts, North, Rohini, Delhi on 27.7.2018, in terms whereof the petitioner No.1 had agreed to pay Rs.5,00,000/-, out of which Rs.3,00,000/- have

already been paid to the respondent No.2 and the balance amount of Rs.2,00,000/- by way of an FDR is required to be paid in the name of baby Mahi to the respondent No.2. It is also submitted that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 1.7.2019.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioners handover the FDR for the sum of Rs.2,00,000/- to her.

5. Learned counsel for the petitioners further submitted that the petitioners have brought an FDR bearing No.579319, for a sum of Rs.2,00,000/- in the name of baby Mahi, drawn on Corporation Bank, which has been handed over to the respondent No.2 today in the Court.

6. 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.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and dissolution of marriage, 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.0947/2015, under Sections 354/498-A/406/34 of the IPC, registered at P.S.:

Samaipur Badli, Delhi and the proceedings emanating therefrom are quashed. The parties shall remain bound by the terms of the aforesaid Settlement dated 27.7.2018.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 20, 2019

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