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

+ **CRL.M.C. 4994/2019**

**SH. ROHIT @ DILIP KUMAR KARNDHAR
& ORS.**

.....Petitioners

Through: Mr. Pankaj Kumar Mishra and
Ms.Archana Mishra, Advs.
with the petitioner in person

versus

STATE & ANR.

..... Respondents

Through: Ms.Aashaa Tiwari, APP with
SI Jagdish
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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06.12.2019

CRL.M.A. 37297/2019 and 42114/2019 (for exemption)

Allowed, subject to all just exceptions. Applications stand disposed of.

CRL.M.A. 42113/2019 (for impleadment)

In view of the cause submitted in the application, the application is allowed and applicant is impleaded as one of the petitioners. Amended memo of parties filed with the application is taken on record.

Application stands disposed of.

CRL.M.C. 4994/2019

1. Issue notice. Notice is accepted by APP for the State.
2. Notice is also accepted by respondent No. 2.

3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.395/2015 dated 19.03.2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom.

4. The petitioners and respondent No.2 as well as the learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion as is also evident from the joint statement recorded before the Mediation Centre, Dwarka Courts on 24.02.2017, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 27.03.2019.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.68,000/- to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.68,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.871905 dated 18.11.2019 for an amount of Rs.68,000/- which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed

and the FIR may be quashed.

7. 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.

8. In view of the aforesaid circumstances and 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.395/2015 dated 19.03.2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 06, 2019

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