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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 5677/2019

GAGANDEEP

..... Petitioner

Through: Counsel (name not given)

versus

STATE & ANR.

..... Respondents

Through: Mr. Raghuvinder Verma, APP
with ASI Jatan Swaroop,
PS:Krishna Nagar, Delhi
Ms. Pushpa, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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19.12.2019

CRL.M.A.39821/2019 (for exemption)

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

CRL.M.C. 5677/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2.
2. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.749/2014, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Krishna Nagar, Delhi and the proceedings emanating therefrom.
3. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have settled their

disputes on their own free will, without any force or coercion vide Settlement Deed before the Counselling Cell, learned Judge, Family Court, East District, Karkardooma, Delhi on 25.11.2017, in terms whereof the petitioner had agreed to pay Rs.2,00,000/- to the respondent No.2. It is further submitted that out of Rs.2,00,000/-, an amount of Rs.1,25,000/- has already been paid to respondent No.2. It is also submitted that the marriage between the petitioner 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 15.4.2019.

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 pay the balance amount of Rs.75,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

5. Learned counsel for the petitioner submitted that the petitioner has brought two pay orders –one bearing No.783575, for a sum of Rs.49,000/- and another bearing No.783579, for a sum of Rs.26,000/-, both drawn on Andhra Bank, which have 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 petitioner 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 the 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. 749/2014, under Sections 498-A/406 of the IPC, registered at P.S.: Krishna Nagar, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 19, 2019

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