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

+ CRL.M.C. 5752/2019 & CrI.M.As.40103-04/2019

SUMIT RAINA

..... Petitioner

Through Mr. Pranay Sharma and
Mr. Vipin, Advs. with the
petitioner in person

versus

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

.... Respondents

Through Ms. Aashaa Tiwari, APP with
SI Rajeshwar
Mr. Rajat Gava, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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14.11.2019

1. Issue notice.
2. Notice is accepted by the learned APP as well as by the learned counsel for the respondent No.2.
3. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.440/2016, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Palam Village, Delhi and the proceedings emanating therefrom.
4. The petitioner and respondent No.2 as well as the learned counsel for the petitioner submitted that the parties have settled their

disputes on their own free will, without any force or coercion before the Counselling Cell, Family Courts, Dwarka Court, New Delhi on 2.2.2019, in pursuance whereof, the marriage of the petitioner and the respondent No.2 stands dissolved vide decree of divorce dated 21.8.2019.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has to pay the balance amount of Rs.3.5 lacs to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioner makes the payment of the balance amount of Rs.3.5 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioner submitted that the petitioner have brought a demand draft bearing No.502064 dated 22.10.2019 for an amount of Rs.3.5 lacs which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioner 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 petitioner 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.440/2016, under Sections 498-A/406 of the IPC, registered at P.S.: Palam Village, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms. Pending applications are also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 14, 2019/rk