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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 84/2019**

PRERIT SOUDA & ORS

..... Petitioners

Through: Mr. R.P. Luthra & Mr. Saurabh
Luthra, Advocates

versus

STATE & ANR

..... Respondents

Through: Mr. Panna Lal Sharma, APP
with WSI Radha Jha, PS:
CWC, Nanak Pura, New Delhi
Mr. Panakj Bhardwaj,
Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **10.01.2019**

CRL.M.A. 393/2019

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

CRL.M.C. 84/2019

1. The petitioners have moved the present petition under
Section 482 of the Code of Criminal Procedure, 1973 for
quashing of FIR No.17/2017, under Sections 498-A/406/34 of
the Indian Penal Code, 1860, registered at PS:CWC, Nanak
Pura, New Delhi and the proceedings emanating therefrom.

2. The petitioners 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 Memo of Settlement dated 20.12.2018. The joint statement of the petitioner No.1 and respondent No.2 for dissolution of marriage by mutual consent under the Hindu Marriage Act, 1955 has also been recorded before the Additional Principal Judge, Family Courts, Dwarka Courts, New Delhi on 8.1.2019 and as per the Settlement, Rs.35,00,000/- has already been paid by the petitioners to respondent No.2 and the petitioners are ready and willing to pay the balance sum of Rs.17,00,000/- 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.17,00,000/- 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.005450, dated 26.12.2018, drawn on HDFC Bank, in favour of respondent No.2 for an amount of Rs.17,00,000/-, 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.17,00,000/-, 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, and the balance amount received today by respondent No.2 by way of demand draft, 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. 17/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860, registered at PS:CWC, Nanak Pura, New Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 10, 2019

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