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

+ **CRL.M.C. 159/2019 & CRL.M.A.701/2019**

ARUN TANWAR & ORS

.... Petitioners

Through: Mr. R.S. Mishra and
Mr.S.K.Singh, Advs. with
petitioners in person

versus

THE STATE (GNCT DELHI) & ANR Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Rajiv Singh, PS
Mehrauli, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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15.01.2019

CRL.M.A. 701/2019 (for exemption)

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

CRL.M.C. 159/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.170/2016 dated 19.1.2016 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Mehrauli, New Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as the learned counsel for the petitioners submitted that the parties have settled their

disputes before the Court of MM-03, Mahila Court, South District, Saket Courts vide settlement dated 11.5.2018 in pursuance whereof, the marriage between petitioner No.1 and the respondent No.2 has been dissolved vide a decree of divorce dated 18.12.2018.

3. 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.

4. The petitioners and the respondent No.2, who is present in the Court along with her parents, stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioners have already paid Rs.2,40,000/- to the respondent No.2 and the balance amount of Rs.1,00,000/- is required to be paid to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.1,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.111570 dated 7.1.2019 for an amount of Rs.1,00,000/- which has been handed over to the respondent No.2 in Court. The parties submitted that in view of the payment of the balance amount as well as in the interest of justice, the aforesaid petition may be allowed.

6. In view of the aforesaid circumstances, 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.170/2016 dated 19.1.2016 under Sections 498-A/406/34 of the IPC, registered at Police Station Mehrauli, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 15, 2019/rk