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IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.M.C. 350/2019

UMA KANT SINGH TOMAR & ANR. Petitioners

Through: Mr. S.S. Haider, Advocate

versus

STATE & ANR. Respondents

Through: Mr. Panna Lal Sharma, APP
with ASI K. Singh

Ms. Counsel (name not given)
for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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07.02.2019

CRL.M.C. 350/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.382/2015, under Sections 354/509/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Subzi Mandi, 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 Settlement dated 3.8.2016 before the Mediation Centre, Tis Hazari Courts, Delhi. It is also submitted that the marriage between petitioner No.1 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 26.5.2017.

3. Respondent No.2, who is present in Court along with her

sister, 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 petitioner No.1 pays the amount of Rs.50,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

4. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.318712, dated 05.02.2019, drawn on Corporation Bank, for an amount of Rs.50,000/-, 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 the settlement arrived at between the parties.

6. 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. 382/2015, under Sections 354/509/34 of the IPC, registered at P.S.: Subzi Mandi, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

FEBRUARY 07, 2019/tp