

\$~18

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

+ W.P.(CRL) 253/2019

DEEPAK MALIK & ANR.

..... Petitioners

Through: Mr. Neeraj Kumar, Advocate with petitioners in person.

versus

STATE & ANR.

..... Respondents

Through: Mr. Jamal Akhtar, Advocate for Mr.Rahul Mehra, Standing Counsel (Crl.) for the State with SI Kiranpal, PS-Jagatpuri.
Mr. Shashank Singh, Advocate with respondent No. 2 in person.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

11.04.2019

The present petition has been filed under Article 226/227 of the Constitution of India read with Section 482 Cr.P.C. seeking quashing of FIR No.603/2014 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – Jagatpuri, Delhi on the ground that the parties have amicably resolved their disputes.

Respondent No.2 is present in Court and is identified by the Investigating Officer, who is also present in Court today. She states that she has settled the matter with the petitioners with her own free will and choice without any threat, pressure and coercion in terms of settlement recorded on 24.11.2017 before the Delhi Mediation Centre, Karkardooma Courts, Delhi. She further states that she has already received Rs.70,000/- (Rupees Seventy Thousand Only) from the petitioners and today, she has received balance amount of Rs.30,000/- (Rupees Thirty Thousand Only) from the petitioners through Demand Draft No. 937339 dated 06.04.2019 drawn on Union Bank of India, Chandranagar, New Delhi

towards full and final settlement and she does not wish to pursue the abovementioned FIR and the proceedings pursuant thereto.

Learned counsel for the petitioners submits that second motion of divorce is over and petitioner No. 1/husband and respondent No. 2/wife have been granted divorce vide order dated 04.10.2018 passed by the Principal Judge, Family Courts, Shahdara, Karkardooma, Delhi.

Petitioners are also present in Court today and undertake not to create any trouble/inconvenience for the respondent No. 2.

In view of the fact that the parties have amicably resolved their differences voluntarily and of their own free will and without any coercion, pressure, and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question. Consequently, FIR No.603/2014 under Sections 498A/406/34 of the Indian Penal Code registered at Police Station – Jagatpuri, Delhi and proceedings pursuant thereto are hereby quashed.

The petition is disposed of.

SANGITA DHINGRA SEHGAL, J

APRIL 11, 2019
gr

Petitioner No. 1

Respondent No. 2

Petitioner No. 2