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

+ **CRL.M.C. 426/2019**

KAPIL ARORA & ORS

..... Petitioners

Through Mr. Sunil Kr. Sharma and Ms.
Teena, Advocates

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through Mr. Panna Lal Sharma, APP
with ASI Bhom Singh, PS.
Tilak Nagar

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **28.01.2019**

CRL.M.A. 1861/2019

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

CRL.M.C. 426/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.466/2012, under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S. Tilak Nagar, 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 Agreement dated 24.5.2018 before the Delhi High Court Mediation & Conciliation Centre, in terms whereof the petitioner No.1 had agreed to pay Rs.13,25,000/- to the respondent No.2. It is further submitted that out of Rs.13,25,000/-, an amount of Rs.10,00,000/- has already been paid to respondent No.2. 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 16.11.2018.

3. Respondent No.2, who is present in Court along with her sister and father, 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 balance amount of Rs.3,25,000/- to her, which is required to be paid as per the Settlement.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.350955, dated 21.1.2019, drawn on Andhra Bank, for an amount of Rs.3,25,000/-, 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 Settlement.

6. 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.466/2012, under Sections 498A/406/34 of the IPC, registered at P.S. Tilak Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 28, 2019/sk