

\$~20

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

+ **CRL.M.C. 1004/2019 & CRL.M.A.4007/2019**

**MR. RAJESH KUMAR & ORS. .... Petitioners**

Through: Ms. Suman Singh, Adv. with  
petitioners in person

versus

**STATE & ANR. .... Respondents**

Through: Mr. Kamal Kumar Ghei, APP  
with SI Ashish Kumar, PS  
Bhajanpura, Delhi  
R-2 in person with her counsel

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

% **22.02.2019**

**CRL.M.A. 4007/2019 (for exemption)**

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

**CRL.M.C. 1004/2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.207/2012 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Bhajanpura, Delhi and the proceedings emanating therefrom.

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

disputes on their own free will without any force, pressure or coercion as is evident from the order dated 6.10.2018 of the District & Sessions Judge (NE), Karkardooma Courts, Delhi. The marriage between the petitioner No.1 and the respondent No.2 has also been dissolved vide a decree of divorce dated 17.12.2018.

3. The respondent No.2, present in the Court along with her mother, reiterated the aforesaid facts and submitted 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 to pay the balance amount of Rs.1,00,000/- to her. Respondent No.2 further submitted that in case the petitioners make the balance payment of Rs.1,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.479228 dated 22.1.2019 for an amount of Rs.1,00,000/- which has been handed over to the respondent No.2 today in the 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.

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 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. 207/2012 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Bhajanpura, Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

**CHANDER SHEKHAR, J**

**FEBRUARY 22, 2019/rk**