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

+ **CRL.M.C. 1763/2019 & CRL.M.As.7069-70/2019**

JITENDER KUMAR GUPTA Petitioner

Through: Mr. Rahat Bansal, Adv. with
the petitioner in person

versus

STATE & ANR. Respondents

Through: Mr. Kamal Kumar Ghei, APP
with ASI Dharmbir Singh, PS
Uttam Nagar, Delhi
Mr. Vijay Kumar, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **03.04.2019**

CRL.M.As.7069-70/2019 (for exemption)

Allowed, subject to all just exceptions. Applications stand disposed of.

CRL.M.C. 1763/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1183/2014 under Sections 498-A/406 of the Indian Penal Code, 1860 (IPC), registered at Police Station Uttam Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioner 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 or coercion vide a Settlement Agreement dated 31.8.2016, in pursuance whereof, the marriage of the petitioner and the respondent No.2 stands dissolved vide decree of divorce dated 6.3.2018.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has to pay the balance amount of Rs.4 lacs to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioner makes the payment of balance amount of Rs.4 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that the petitioner have brought a demand draft bearing No.003301 dated 28.3.2019 for an amount of Rs.4 lacs which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioner further submitted that in view of the payment of the balance amount to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner 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. The parties are directed to remain bound by the

terms and conditions of the settlement. Accordingly, in the interest of justice, FIR No.1183/2014 under Sections 498-A/406 of the IPC, registered at Police Station Uttam Nagar, Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 03, 2019/rk