

\$~59

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

+ **CRL.M.C. 1863/2019 & CRL.M.A. 7438/2019**

JAI PRAKASH & ORS

.... Petitioners

Through: Mr. D.D. Sharma, Adv. with
the petitioners in person

versus

THE STATE & ANR

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Ankur, PS Punjabi
Bagh, Delhi
Mr. Digvijay, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

08.04.2019

CRL.M.A. 7438/2019 (for exemption)

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

CRL.M.C. 1863/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1101/2015, under Sections 498-A/406/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Punjabi Bagh, New 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 or coercion vide a Settlement Agreement dated 9.1.2017, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 12.1.2018.

3. Respondent No.2 has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.2 lacs to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.2. lacs to her, 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.147169 dated 17.11.2018 (renewed by bank later on) for an amount of Rs.1 lac and a Term Deposit Certificate of Rs.1 lac, which has been deposited in the account of the son of the respondent No.2 bearing A/c No.90744050050963/8 and the same have been handed over to the respondent No.2 today in the Court who has taken and accepted to be a payment towards the balance amount. Learned counsel for the parties submitted that in view of the handing over of the aforesaid demand draft and Term Deposit Certificate of Rs.1 lac each 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 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. 1101/2015, under Sections 498-A/406/506/34 of the IPC, registered at P.S.: Punjabi Bagh, New Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 08, 2019/rk