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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 1987/2019

SH. SHER SINGH

..... Petitioner

Through: Mr. Amanjeet Kumar,
Advocate

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Shiv Kumar & ASI
Satbir Singh, PS:Dwarka,
Sector-23, Delhi
Mr. Badri Dass, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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12.04.2019

CRL.M.A.7863/2019

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

CRL.M.C. 1987/2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.213/2014, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Dwarka, Sector-23, Delhi and the proceedings emanating therefrom.

2. The petitioner 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 before the Counselling Cell, Family Courts, Dwarka Court, Delhi on 12.3.2018, in terms whereof the petitioner had agreed to pay Rs.6,50,000/- to the respondent No.2. It is further submitted that out of Rs.6,50,000/-, an amount of Rs.4,50,000/- has already been paid to the respondent No.2. It is also submitted that the marriage between the petitioner 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 7.12.2018.

3. Respondent No.2, who is present in Court, 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 petitioners pay the balance amount of Rs.2,00,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

4. Learned counsel for the petitioner submitted that the petitioner has brought a demand draft bearing No.025373, dated 27.3.2019, drawn on HDFC Bank, for an amount of Rs.2,00,000/-, 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 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, the settlement arrived at between the parties and the dissolution of marriage, 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. 213/2014, under Sections 498-A/406 of the IPC, registered at P.S.: Dwarka, Sector-23, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 12, 2019

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