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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2086/2019
SH. KAEWAL SRIVASTAVA & ANR Petitioners
Through: Mr. Saahil Aaron & Mr. Rohan
Dewan, Advocates

versus

STATE OF DELHI & ANR Respondents
Through: Mr. Panna Lal Sharma, APP
with SI Vikram Lamba,
PS:Vasant Kunj (North), Delhi

WITH

+ CRL.M.C. 2009/2019
KAEWAL SRIVASTAVA & ORS Petitioners
Through: Mr. Saahil Aaron & Mr. Rohan
Dewan, Advocates

versus

STATE OF DELHI & ANR Respondents
Through: Mr. Ashok Kumar Garg, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **09.08.2019**

CRL.M.A.8272/2019

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

CRL.M.Cs. 2086/2019 & 2009/2019

1. Issue notice. Notice is accepted by the learned APP on
behalf of the State and by respondent No.2, who is present in

Court.

2. Special Power of Attorney (SPA) has been executed by petitioner No.2 in favour of petitioner No.1 in CRL.M.C. 2086/2019 and SPA has been executed by petitioner Nos.3, 4 and 5 in favour of Petitioner No.1 in CRL.M.C. No.2009/2019.

3. The petitioners have filed the present petitions under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.347/2015, under Sections 323/506/509/510/354/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.:Vasant Kunj, Delhi and FIR No.134/2016, under Sections 498-A/406/34 of the IPC, registered at PS:Crime (Women) Cell, Nanakpura, Delhi and the proceedings emanating therefrom.

4. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding dated 13.7.2018. It is also submitted that the marriage between the 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 19.2.2019.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has no objection to the petitions being allowed and the FIRs 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.

6. Learned counsel for the petitioners submitted that the petitioners have brought two demand drafts – one bearing No.87289, dated 8.8.2019, drawn on Indian Bank, for an amount of Rs.1,00,000/- and the other bearing No.057859, dated 22.7.2019, drawn on HDFC Bank, which have been handed over to the respondent No.2 today in the Court.

7. 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.

8. 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. 347/2015, under Sections 323/506/509/510/354/34 of the IPC), registered at P.S.:Vasant Kunj, Delhi and FIR No.134/2016, under Sections 498-A/406/34 of the IPC, registered at PS:Crime (Women) Cell, Nanakpura, Delhi and the proceedings emanating therefrom are quashed.

9. Petitions are disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 09, 2019/tp