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

+ **CRL.M.C. 2410/2019 & CrI.M.As.9536/2019 & 42818/2019**

SUNIL KUMAR & ORS. Petitioners

Through Mr. Bipin Rakesh and
Mr.Harendra Kumar, Advs.
versus

STATE & ANR. Respondents

Through Mr. Raghuvinder Verma, APP
with SI Puran Singh and ASI
Ram Kishore
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **16.12.2019**

CRL.M.A. 9536/2019 (for exemption)

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

CRL.M.A. 42818/2019 (for impleadment)

In view of the cause submitted in the application, Mr. Rajender Singh and Mr.Ashok are impleaded as petitioner Nos.5 and 6, respectively, in the array of the parties. Amended memo of parties is taken on record. Application stands disposed of.

CRL.M.C. 2410/2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.324/2011, under Sections 498-A/406/34 of the Indian Penal Code,

1860 ('IPC') and Sections 3/4 of the Dowry Prohibition Act, 1961 ('DP Act'), registered at P.S.: Gokul Puri, Delhi and the proceedings emanating therefrom.

2. Learned counsel for the petitioners submitted that during the pendency of the matter, the other two accused Ms.Kamlesh and Mr.Anand Swaroop @ Pappu expired, hence, they were not impleaded as a party to the petition and the same has been verified by the respondents.

3. 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 before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 20.5.2016, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 18.2.2017.

4. Respondent No.2, who is present in the Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.10,000/- 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.10,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

5. The petitioners have paid the sum of Rs.10,000/- in cash to the respondent No.2 in the Court today. Learned counsel for the petitioners 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.

6. 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.

7. 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.324/2011, under Sections 498-A/406/34 of the IPC and Sections 3/4 of the DP Act, registered at P.S.: Gokul Puri, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 16, 2019/rk