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

+ **CRL.M.C. 3180/2019**

GAURAV NAGPAL & ANR

.... Petitioners

Through

Mr. Vikas Gogne and
Ms.Aprajita Budhwar, Advs.

versus

CBI & ANR

.... Respondents

Through

Mr. Ripu Daman Bhardwaj,
SPP with SI Baljeet Vashisht
Mr. Rajat Aneja and Ms.Jia
Kapur, Advs. for R-2 with R-2
in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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27.11.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of RC No.9(S)/2000/SIU/V/SIC-II, under Section 343 read with Section 34 of the Indian Penal Code, 1860 ('IPC'), registered by the CBI 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 before the Principal Judge, Family Courts, Central District, Tis Hazari Courts, Delhi on 21.7.2018 and thereafter, there was a slight modification in the said settlement which was amicably carried out by

both the parties as is evident from the proceedings dated 1.12.2018 before the same Court, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 2.4.2019.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.80 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.80 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 two cheques bearing No.009343 dated 17.10.2019 for an amount of Rs.55 lacs and No.009342 dated 17.10.2019 for an amount of Rs.25 lacs which have been handed over to the respondent No.2 today in the Court. 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.

5. Learned SPP, on instructions from the Investigating Officer Baljeet Vashisht, submitted that since the matter stands settled between the petitioners and the respondent No.2, the respondent No.1 has no objection in case the present petition is allowed and the aforesaid FIR is 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, RC No.9(S)/2000/SIU/V/SIC-II, under Section 343 read with Section 34 of the IPC, registered by the CBI and the proceedings emanating therefrom are quashed subject to encashment of the aforesaid two cheques. The parties shall remain bound by the terms and conditions of the settlement dated 21.7.2018 and the modification therein vide order dated 1.12.2018.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 27, 2019/rk