

\$~43

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

+ CRL.M.C. 4171/2019 & CRL.M.A. 34211/2019

AJAY KUMAR & ORS ..... Petitioner

Through: Mr. M. Naushad, Advocate

versus

THE STATE (GOVT. OF NCT DELHI) & ANR

..... Respondent

Through: Mr. Mukesh Kumar, APP with  
SDI K.P. Rana, P.S. Sonia  
Vihar  
Mr. Baljeet Kumar, Advocate  
for R-2 with R-2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

%

**26.11.2019**

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as by the learned counsel for respondent No.2.
3. Petitioners have paid a cost of Rs.5,000/- in cash to respondent No.2.
4. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.233/2017 dated 29.07.2017, under Sections 498-A/406/354/354A/354B/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sonia Vihar, New Delhi and the proceedings

emanating therefrom.

5. Response by way of affidavit as well as proof of identity stands filed by the respondent No.2.

6. 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 settlement agreement dated 08.01.2019 recorded at Delhi Mediation Centre, Karkardooma Courts, Delhi, as is also evident from the joint statement recorded before the Principal Judge, Family Courts, Karkardooma Courts, Delhi on 17.05.2019, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 17.05.2019.

7. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have already paid the entire amount to her and now nothing remains due from the petitioners. Respondent No.2 further submitted that, she has no objection to the petition being allowed and the FIR being quashed.

8. Learned counsel for the petitioners submitted that in view of the no objection from the respondent No.2, the present petition may be allowed and the FIR may be quashed.

9. 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.

10. 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. No.233/2017 dated 29.07.2017, under Sections 498-A/406/354A/354B34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Sonia Vihar, New Delhi, and the proceedings emanating therefrom are quashed.

11. Petition is disposed of in above terms. Pending application is also disposed of.

**CHANDER SHEKHAR, J**

**NOVEMBER 26, 2019**

**Aj**