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IN THE HIGH COURT OF DELHI AT NEW DELHI

CRL.M.C. 4242/2019 & Crl.M.As.34434/2019

MOHIT BHATIA & ORS.

..... Petitioners

Through: Ms. Vandana Gautam,
Advocate

versus

STATE & ANR

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with WSI Aasha, PS: Kirti
Nagar, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.10.2019

Crl.M.A.36551/2019

1. In view of the cause submitted, the application is allowed. Petitioner Nos.2 to 5 are allowed to be impleaded as petitioner Nos.2 to 5.

2. Application is disposed of.

CRL.M.A.34492/2019 (for exemption)

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

CRL.M.C.4242/2019 & Crl.M.As.34434/2019

1. Issue notice.

2. Notice is accepted by the learned APP for the State and by respondent No.2.

3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for

quashing of FIR No.0020/2018, under Sections 354/354A/337/498A/406/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kirti Nagar, 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 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 11.5.2018, in terms whereof petitioner No.1 had agreed to pay Rs.6,00,000/- to the respondent No.2. It is further submitted that out of Rs.6,00,000/-, an amount of Rs.3,90,000/- has already been paid to respondent No.2. 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 30.1.2019.

5. Respondent No.2, who is present in Court with her father, 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.2,10,000/- 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 bearing No.017004, dated 26.8.2019, for an amount of Rs.2,00,000/- and

No.017192, dated 16.10.2019, for an amount of Rs.10,000/-, both drawn on Axis 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. 0020/2018, under Sections 354/354A/337/498A/406/506/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kirti Nagar, Delhi and the proceedings emanating therefrom are quashed.

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

CHANDER SHEKHAR, J

OCTOBER 17, 2019

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