

\$~62

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4328/2019**
RAJINDER KUMAR & ORS Petitioners
Through: Mr. Hakim Khan & Mr. Manoj
Goswami, Advocates

versus

THE STATE & ANR Respondents
Through: Mr. Raghuvinder Verma, APP
with ASI Suresh Kumar,
PS:New Usman Pur, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **02.09.2019**

CRL.M.A.34750/2019

Allowed, subject to all just exceptions. Applications stand disposed of.

CRL.M.C. 4328/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by respondent No.2, who is present in Court.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0808/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: New Usmanpur, Delhi and the proceedings emanating therefrom.
3. 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, Karkardooma Courts, Delhi on 14.2.2019, in terms whereof petitioners had agreed to pay Rs.3,50,000/- to the respondent No.2.

4. 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 25.5.2019.

5. Respondent No.2, who is present in Court along 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.1,00,000/- 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 a demand draft bearing No.317486, dated 17.7.2019, drawn on The Karnataka Bank Ltd., for an amount of Rs.1,00,000/-, which has 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. 0808/2017, under Sections 498-A/406/34 of the IPC, registered at P.S.: New Usmanpur, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

SEPTEMBER 02, 2019

tp