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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4395/2019**

DEVENDER NAGAR

..... Petitioner

Through: Mr. Sushant Mukund,
Advocate

versus

STATE & ANR.

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with SI Sonia Khokhar,
PS:Ghazipur, Delhi
Counsel for respondent
No.2(name not given)

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **17.10.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.41/2014, under Sections 494/495/417/420 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Ghazipur, Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Family Court, Karkardooma Courts, Delhi on 26.3.2019, in terms whereof the petitioner 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.3,00,000/-

has already been paid to respondent No.2. It is also submitted that the marriage between the petitioner and respondent No.2 has been declared as nullity vide judgment dated 10.4.2019.

3. Respondent No.2, who is present in Court, 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 petitioner pays the balance amount of Rs.3,00,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

4. Learned counsel for the petitioner submitted that the petitioner has brought a demand draft bearing No.590229, dated 2.9.2019, drawn on Indian Overseas Bank, for an amount of Rs.3,00,000/-, which has been handed over to the respondent No.2 today in the Court.

5. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.

6. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.30,000/- for some social beneficial cause in any trust or association.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and the marriage being declared as nullity, 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. 41/2014, under Sections 494/495/417/420 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Ghazipur, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.30,000/- within two weeks by the petitioner, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820, Rs.5,000/- in the and Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 and Rs.5,000/- in the Prime Minister Relief Fund and the receipts of the deposits be filed in the Registry within two weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within two weeks. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 17, 2019

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