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

+ **CRL.M.C. 4491/2019 & Crl.M.As.35318-19/2019**

TARUN KHANNA & ORS. Petitioners

Through Mr. Murari Tiwari, Mr. Rahul
Kumar and Mr. Shivam
Malhotra, Advs. with the
petitioners in person

versus

STATE & ANR. Respondents

Through Mr. Amit Chadha, APP with SI
Pratima
Mr. Gaurav Gaur, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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24.10.2019

CRL.M.A. 35318/2019 (for exemption)

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

CRL.M.A. 47937/2018 (for condonation of delay)

In view of the cause submitted in the application, the delay in re-filing the petition is condoned. Application stands disposed of.

CRL.M.C. 4491/2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as

by the learned counsel for the respondent No.2.

3. Special Power of Attorney executed by the petitioner No.1 in favour of the petitioner No.4 already on record.

4. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.44/2016, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: CAW Cell, Nanakpura, Delhi and the proceedings emanating therefrom.

5. The petitioner Nos.2 to 5 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 Delhi High Court Mediation and Conciliation Centre vide a Settlement Agreement dated 15.10.2018, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 13.2.2019.

6. 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.1.5 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.1.5 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

7. Learned counsel for the petitioners submitted that the petitioner Nos.2 to 5 have brought a demand draft bearing No.085420 dated 5.9.2019 for an amount of Rs.1.5 lacs which has 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.

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

9. 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.44/2016, under Sections 498-A/406/34 of the IPC, registered at P.S.: CAW Cell, Nanakpura, Delhi and the proceedings emanating therefrom are quashed.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 24, 2019/rk