

\$~29

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4617/2019**

K.L VERMA @ KRISHAN LAL & ANR Petitioners

Through: Mr. Dhruv Chaudhary, proxy
counsel

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Ashok Kumar Garg, APP
with SI Avdesh Kumar,
PS:Geeta Colony, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

19.11.2019

CRL.M.A.35759/2019 (for exemption)

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

CRL.M.C.4617/2019 & CRL.M.A.35758/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by respondent No.2.
2. Special Power of Attorney (SPA), in the shape of authorisation letter, has been executed by petitioner Nos.1 and 2 in favour of their son, Sanjeev Kumar @ Sanjay Verma.
3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.41/2011, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Geeta

Colony, Delhi and the proceedings emanating therefrom.

4. Learned counsel for the petitioners submitted that the petitioners have already been discharged under Section 307 of the IPC by the learned Additional Sessions Judge on 1.9.2014.

5. 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 4.6.2018. It is also submitted that, in view of the settlement between the parties, the marriage between Sanjeev Kumar @ Sanjay Verma and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955.

6. Respondent No.2, who is present in Court along with her brother, Vishal Arora, has reiterated the aforesaid facts and submitted that since nothing is due and payable to her from the petitioners and the matter stands settled, she has no objection to the petition being allowed and the FIR being quashed. Respondent No.2 also submitted that she has received an FDR, in the name of her minor son, in the sum of Rs.50,000/- towards the full and final settlement.

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. 41/2011, under Sections 498-A/406/34 of the IPC, registered at P.S.: Geeta Colony, 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

NOVEMBER 19, 2019

tp