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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 740/2018 & CRL.M.A.2664/2018
GURDEEP SINGH & ORS Petitioners
Through: Ms. Indu Ranjan, Advocate

versus

THE STATE GOVT OF NCT OF DELHI & ANR.Respondents
Through: Mr. Panna Lal Sharma, APP
with Inspector Yogeshwar
Singh, PS:Kalkaji, Delhi
Ms. Katyayini & Mr. Shubham
Gupta, Advocates for
respondent Nos.2 and 3

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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14.08.2019

1. Learned counsel for the petitioners submitted that due to typographical error, the name of the petitioners in the cause title has been wrongly typed as Rakesh Garg & Ors., though it ought to have been Gurdeep Singh & Ors.. On the oral request of the learned counsel for the petitioners, correction in the cause title is allowed and the correction is carried out today.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.65/2011, under Sections 365/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Kalkaji, Delhi and the proceedings emanating therefrom.

3. The petitioners and respondent Nos.2 and 3 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Settlement Deed, dated 17.10.2016. 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 18.4.2018.

4. Respondent Nos.2 and 3, who are present in Court, have reiterated the aforesaid facts and submitted that since nothing is due and payable to respondent No.2 from the petitioners and the matter stands settled, they have no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the present petition may be allowed and the FIR may be quashed, subject to any condition that this Court may deem fit and proper. Learned counsel for the petitioners submitted that the petitioners are ready and willing to contribute a sum of Rs.10,000/- for some social beneficial cause in any trust or association.

6. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent Nos.2 and 3 and has also verified the settlement arrived at between the parties.

7. 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. 65/2011, under Sections 365/34 of the IPC, registered at P.S.: Kalkaji, Delhi and the proceedings emanating therefrom are quashed, subject to deposit of a sum of Rs.10,000/- within two weeks by the petitioners, out of which Rs.5,000/- be deposited with the Delhi High Court Advocates' Welfare Trust and Rs.5,000/- in the Delhi High Court Staff Welfare Fund, SB A/c No.15530110074442 UCO Bank, Delhi High Court and the receipts of the deposits be filed in the Registry within two weeks and copy of the receipts shall also be handed over to the APP through the I.O. within two weeks. In case the petitioners fail 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. Pending application is also disposed of.

CHANDER SHEKHAR, J

AUGUST 14, 2019

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