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

+ **CRL.M.C. 5860/2019**

SH. IMRAN & ORS.

..... Petitioners

Through: Mr. Kshitij Ahuja, Advocate

versus

STATE & ANR.

..... Respondents

Through: Mr. Ashok Kumar Garg, APP
with ASI Sukhvir Singh,
PS:Preet Vihar, Delhi
Mr. Rahul Kumar Gupta,
Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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19.12.2019

CRL.M.A.40546/2019 (for exemption)

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

CRL.M.C. 5860/2019

1. Issue notice. Notice is accepted by the learned APP for the State and by learned counsel for respondent No.2.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.75/2019, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Preet Vihar, Delhi and the proceedings emanating therefrom.
3. The petitioners 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 Delhi Mediation Centre, Kakardooma Courts, Delhi on 11.10.2019, in terms whereof the petitioner No.1 had agreed to pay Rs.2,00,000/- and also agreed to pay sum of Rs.3,00,000/- by way of an FDR in the name of baby Aliza to the respondent No.2. It is also submitted that the *talaq* between the petitioner No.1 and respondent No.2 has already taken place on 24.9.2019, which is evident from the settlement arrived at between the parties.

4. 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 petitioners handover the FDR for the sum of Rs.3,00,000/- to her.

5. Learned counsel for the petitioners submitted that the petitioners have brought an FDR bearing No.251143, for a sum of Rs.3,00,000/- in the name of baby Aliza, drawn on UCO Bank, which has been handed over to the respondent No.2 today in the Court.

6. 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.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and the *talaq* between the petitioner No.1 and the respondent No.2, 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.75/2019, under Sections 498-A/406/34 of the IPC, registered at P.S.: Preet Vihar, Delhi and the proceedings emanating therefrom are quashed. The parties shall remain bound by the terms and conditions of the aforesaid Settlement dated 11.10.2019.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 19, 2019

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