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

+ **CRL.M.C. 5998/2019**

SAJID KHAN & ORS

..... Petitioners

Through: Mr. Mohd. Ayaz, Advocate

versus

STATE & ANR

..... Respondents

Through: Ms. Aashaa Tiwari, APP
Mr. Suhail Shariq, Advocate
for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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27.11.2019

CRL.M.A.41083/2019

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

CRL.M.C. 5998/2019 & CRL.M.A.41082/2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as by the learned counsel for respondent No.2.
3. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.160/2017 dated 21.08.2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S. Chandni Mahal,

New Delhi and the proceedings emanating therefrom.

5. Response by way of affidavit as well as proof of identity stands filed by the respondent No.2.

6. The petitioners 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 vide settlement agreement dated 06.08.2018 recorded at Delhi Mediation Centre, Tiz Hazari Courts, Delhi, as is also evident from the Agreement for Divorce in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide Agreement for Divorce dated 19.09.2019.

7. 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.60,000/- in terms of the settlement to respondent No.2. Respondent No.2 further submitted that in case the petitioners make the payment, she has no objection to the petition being allowed and the FIR being quashed.

8. Learned counsel for the petitioners submitted that the petitioners have brought demand draft bearing No. 786244 dated 26.11.2019 for an amount of Rs.60,000/- which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners further 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.

9. 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.

10. 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.160/2017 dated 21.08.2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S. Chandni Mahal, New Delhi and the proceedings emanating therefrom are quashed.

11. Petition is disposed of in above terms. Pending application is also disposed of.

CHANDER SHEKHAR, J

NOVEMBER 27, 2019

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