

\$~20

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

+ **CRL.M.C. 1134/2018**

NEETU KUMAR SHAH & ORS ... Petitioners

Through Mr. Diwakar Bhardwaj, Adv.
with the petitioners in person

versus

STATE (NCT OF DELHI) & ANR Respondents

Through Mr. Raghuvinder Verma, APP
with IO in person
Mr. Vijay Verma and Mohd.
Anas, Advs. for R-2 with R-2
in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% 25.09.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.166/2009, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom.

2. 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 before the Principal Judge (West), Tis Hazari Courts, Delhi on 14.12.2016, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated

24.7.2017.

3. 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.2.8 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.2.8 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioners have brought three demand drafts bearing No.648311 dated 19.7.2019 for an amount of Rs.80,000/-, No.509209 dated 23.9.2019 for an amount of Rs.1,00,000/- and No.505118 dated 24.9.2019 for an amount of Rs.1,00,000/- lacs which have 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.

5. 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.

6. 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.166/2009, under Sections 498-A/406/34 of the IPC, registered at

P.S.: Tilak Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

SEPTEMBER 25, 2019/rk