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

+ **CRL.M.C. 2060/2018 & CRL.M.A.7323/2018**

JAIPAL

..... Petitioner

Through: Mr. Narender Yadav, Adv. with
the petitioner in person

versus

STATE & ANR

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
ASI Vijay Pal, PS CWC
Nanakpura, Delhi
Mr. Ghanshyam Sharma and
Mr. Vikas Sharma, Advs. for
R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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18.03.2019

CRL.M.A. 7323/2018 (for exemption)

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

CRL.M.C. 2060/2018

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.95/2013 dated 19.6.2013 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station CWC/Nanakpura, New Delhi and the proceedings emanating therefrom.

2. Respondent No.2 has filed a fresh affidavit on record.
3. The petitioner and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled the matter and have entered into a Memorandum of Understanding (MoU) dated 17.5.2017 in pursuance whereof, the marriage between petitioner No.1 and the respondent No.2 has been dissolved vide a decree of divorce dated 1.12.2017.
4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner as well as respondent No.2 and has also verified the settlement arrived at between the parties.
5. The petitioner and the respondent No.2, present in the Court, stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioner had to pay the balance amount of Rs.3,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioner makes the payment of Rs.3,00,000/- in terms of the settlement arrived at between the parties, she has no objection to the petition being allowed and the FIR being quashed.
6. Learned counsel for the petitioner submitted that the petitioner has brought a Demand Draft bearing No.502020 dated 2.3.2019 for an amount of Rs.3,00,000/- which has been handed over to the respondent No.2 in the Court today. The parties submitted that in view of the payment of the balance amount as well as in the interest of justice, the aforesaid petition may be allowed.
7. 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. 95/2013 dated 19.6.2013 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station CWC/Nanakpura, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 18, 2019/rk