

\$~29

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

+ CRL.M.C. 2226/2018

ABHISHEK JAIN

..... Petitioner

Through: Mr. Gopesh Tripathi and
Mr.Ammar Mohsin, Advs. with
the petitioner in person

versus

THE STATE OF NCT OF DLEHI & ANR Respondents

Through: Mr. Raghuvinder Verma, APP
with SI Ashish Sharma, PS
Welcome, Delhi
Mr. Santosh Kr. Sharma, Adv.
for R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

05.08.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.525/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') and Section 4 of the Dowry Prohibition Act, 1961 ('DP Act'), registered at P.S.: Welcome, Delhi and the proceedings emanating therefrom.
2. The petitioner 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 a Settlement Agreement dated 26.4.2017, in pursuance whereof, the marriage of the petitioner and the respondent No.2 stands dissolved

vide decree of divorce dated 20.3.2018.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has to pay the balance amount of Rs.2 lacs to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioner makes the payment of the balance amount of Rs.2 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioner submitted that the petitioner has brought two demand drafts bearing No.006659 dated 3.8.2019 for an amount of Rs.1.7 lacs and No.006660 dated 5.8.2019 for an amount of Rs.30,000/- which have been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioner 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 petitioner 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.525/2015, under Sections 498-A/406/34 of the IPC and Section 4 of the DP Act, registered at P.S.: Welcome, Delhi and the proceedings

emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 05, 2019/rk