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

+ CRL.M.C. 3858/2018 CRL.M.A. 29140-29141/2018

VIJAY PRAKASH GUPTA & ORS

..... Petitioners

Through Mr. Udham Singh and Mr. Prince,
Advocates with petitioner no.1 in
person.

Versus

THE STATE OF NCT OF DELHI & ANR

..... Respondents

Through Mr. Raghuvinder Verma, APP for the
State with SI Beg Raj Yadav,
P.S.(CAW Cell, Nanakpura)
Mr. Rashid Hussain, Advocate for
Respondent no.2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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20.02.2019

Respondent no.2 Smt. Chitra Gupta @ Divya Gupta is present in Court and has been identified by SI Beg Raj Yadav of police station Nanakpura. Respondent no.2 submits that she has settled the matter with her husband, that is, petitioner no. 1 of her own free will and without any undue force, pressure or coercion before the Counselling Cell, Principal Judge, South, Family Court, Saket Court Complex, New Delhi on 09.10.2017. Her marriage with petitioner no.1 has already been dissolved by a decree of divorce by mutual consent dated 19.01.2018 passed by the Principal Judge, South, Family Court, Saket Court Complex, New Delhi. Petitioner no.1 has paid ₹ 1,50,000/- to respondent no.2 through Demand Draft, a photocopy whereof has been placed on record. Respondent no.2

says that with this payment entire settled amount of ₹4 lacs stands paid.

Respondent no.2 further says that she has apprehensions that petitioners may misuse some of the cheques lying with them. Petitioner no.1, who is present in court today, states that no signed or unsigned cheques of respondent no.2 are lying with him or his family members i.e. petitioner nos.2 and 3. He says that no claim will be raked up by the petitioner in respect of any of the alleged cheques in future. Petitioners, who are present in court, shall remain bound by this statement.

Respondent no.2 submits that she has no objection in case FIR No. 131/2012 under Sections 498A/406/34 IPC registered at police station CAW Cell Nanakpura and the consequent proceedings are quashed against the petitioner no. 1 and his relatives, that is, petitioner nos. 2 and 3.

Keeping in mind the settlement arrived at between petitioner no.1 and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served in keeping the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J

FEBRUARY 20, 2019

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