

\$~36

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2927/2018**
RAJU Petitioner

Through: Mr. Sunil Dwivedi, Mr. Bimal
Prakash and Mr. Divyanshu,
Advs. with petitioner in person

versus

STATE GOVT. OF NCT OF DELHI & ANR ... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Ramesh Nagar, PS
Nihal Vihar, Delhi
Mr. Pawan Kumar, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **14.03.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.187/2013 under Sections 498-A/406 of the Indian Penal Code, 1860 (IPC), registered at Police Station Nihal Vihar, New 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 entered into a Settlement Agreement dated 3.3.2017 which has been placed on record in the Court today. It is further submitted that the marriage between the petitioner and the respondent No.2 has been dissolved vide a decree of divorce dated 28.11.2017.
3. 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.

4. Respondent No.2 reiterated the aforesaid facts and submitted that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioners have to pay the balance amount of Rs.37,500/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.37,500/- in terms of the settlement arrived at between the parties, she has no objection to the petition being allowed and the FIR being quashed.

5. The petitioner has handed over a sum of Rs.37,500/- in cash to the respondent No.2 in the Court today in terms of the settlement arrived at between the parties. 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.

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. 187/2013 under Sections 498-A/406 of the IPC, registered at Police Station Nihal Vihar, New Delhi and all the consequential proceedings arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MARCH 14, 2019/rk