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

+ CRL.M.C. 2914/2018

RAHUL KAPOOR & ANR.

.... Petitioners

Through: Ms. Suparna Sinha, Adv. with
petitioners in person

versus

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

Through: Mr. Kamal Kumar Ghei, APP
with ASI Tej Prakash, PS Kirti
Nagar, Delhi
Mr. Naman Gauba, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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14.03.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.701/2014 under Sections 498-A/406/34 of the Indian Penal Code, 1860 (IPC), registered at Police Station Kirti Nagar, New Delhi and the proceedings emanating therefrom.
2. The petitioners and respondent No.2, who is present in the Court along with her mother, as well as the learned counsel for the parties submitted that the parties have entered into a Memorandum of Understanding/Settlement Deed dated 23.1.2017 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.

3. 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.

4. Respondent No.2 has filed an affidavit on record reiterating therein 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.1 lac to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.1 lac 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. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.505895 dated 11.3.2019 for an amount of Rs.1 lac 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.

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. 701/2014 under Sections 498-A/406/34 of the IPC, registered at Police Station Kirti Nagar, 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