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

\+ CRL.M.C. 2925/2018

NIKHIL & ORS .... Petitioners

Through: Mr. Nitin Kalra, Adv. with the petitioners in person

versus

STATE & ANR. .... Respondents

Through: Mr. Kamal Kumar Ghei, APP with the IO in person
Mr. Ankit Gupta, Adv. for R-2 with R-2 in person

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% 19.03.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.265/2016 dated 19.7.2016 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 Police Station Shahdara, New Delhi and the proceedings emanating therefrom.

2. Respondent No.2 has filed a fresh affidavit as well as proof of identity on record.

3. 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 Settlement Deed dated 24.8.2017 in pursuance whereof, the marriage between

petitioner No.1 and the respondent No.2 has been dissolved vide a decree of divorce dated 23.4.2018.

4. 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.

5. The petitioners 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 petitioners have to pay the balance amount of Rs.2,00,000/- to the respondent No.2. Respondent No.2 submitted that in case the petitioners make the payment of Rs.2,00,000/- 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 petitioners submitted that the petitioners have brought a Demand Draft bearing No.479187 dated 16.3.2019 for an amount of Rs.2,00,000/- 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. 265/2016 dated 19.7.2016 under Sections 498-A/406/34 of the IPC and Section 4 of the DP Act, registered at Police Station Shahdara,

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 19, 2019/rk