

\$~25

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

+ **CRL.M.C. 2993/2018**

TRIPURESH KUMAR SHUKLA & ORS Petitioners

Through: **Mr. Sanchit Bhushan, Adv.**
with the petitioners in person

versus

STATE OF NCT OF DELHI & ANR Respondents

Through: **Mr. Raghuvinder Verma, APP**
with ASI Prem Ram Arya, PS
Hari Nagar, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% 07.08.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1071/2015 dated 28.10.2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Nihal Vihar, Delhi and the proceedings emanating therefrom.
2. Respondent No.2 has filed her affidavit on record.
3. The order-sheet dated 28.5.2018 demonstrates that the presence of the petitioner Nos.2 and 3 was exempted through counsel.
4. The petitioner No.1 and respondent No.2 as well as the learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Tis Hazari Courts, Delhi on 28.2.2017, in

pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 4.1.2018.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay the balance amount of Rs.50,000/- to her in terms of the settlement arrived at between the parties. Respondent No.2 further submitted that in case the petitioners make the payment of the balance amount of Rs.50,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the petitioner No.1 has brought a demand draft bearing No.255113 for an amount of Rs.50,000/- which has been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners 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.

7. The Investigating Officer ('IO'), who is present in Court, has identified the petitioner No.1 as well as respondent No.2 and has also verified the settlement arrived at between the parties.

8. 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.1071/2015 dated 28.10.2015, under Sections 498-A/406/34 of the IPC, registered at P.S.: Nihal Vihar, Delhi and the proceedings

emanating therefrom are quashed.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 07, 2019/rk