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

+ **CRL.M.C. 4972/2018 & CRL.M.A. 33158/2018**

SH. NARINDER KUMAR & ORS. Petitioners

Through: Mr. A.P. Sharma and Mr. Atul
Kumar Yadav, Advs. with the
petitioners in person

versus

STATE (N.C.T. OF DELHI) & ANR. Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Niraj, PS Pandav
Nagar, Delhi
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **08.05.2019**

CRL.M.A. 33158/2018 (for condonation of delay)

In view of the cause submitted in the application, the delay in re-filing of the petition is condoned. Application stands disposed of.

CRL.M.C. 4972/2018

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.347/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Pandav Nagar, Delhi and the proceedings emanating therefrom.
2. The petitioners 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 Delhi Mediation Centre, Karkardooma Courts, Delhi on 28.1.2016, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 9.1.2017.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have to pay her the balance amount of Rs.60,000/- by way of FDR in the name of the minor child of the parties, namely, Mansi, 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.60,000/- by way of FDR to her, she has no objection to the petition being allowed and the FIR being quashed.

4. Learned counsel for the petitioners submitted that the petitioners have brought two FDRs in the name of the minor child bearing Nos.198191 dated 26.2.2018 for an amount of Rs.30,000/- and 198192 dated 27.2.2018 for an amount of Rs.30,000/- which have been handed over to the respondent No.2 today in the Court. Learned counsel for the petitioners submitted that in view of the handing over of the two FDRs to the respondent No.2, the present petition may be allowed and the FIR may be quashed.

5. 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.

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. 347/2012, under Sections 498-A/406/34 of the IPC, registered at P.S.: Pandav Nagar, Delhi and the proceedings emanating therefrom are quashed. The parties shall remain bound by the terms and conditions of the Settlement dated 28.1.2016.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

MAY 08, 2019/rk