

\$~27

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4763/2018**

SH. MUKESH KUMAR Petitioner
Through: Mr. Padam Kumar Khurana,
Advocate

versus

STATE (NCT OF DELHI) & ANR. Respondents
Through: Mr. Mukesh Kumar, APP with
ASI Ranjeet Singh, PS:K.
Nagar, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

27.08.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0737/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Krishna Nagar, Delhi and the proceedings emanating therefrom.
2. The petitioner and his counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Family Court, Karkardooma, Delhi on 11.9.2017, in terms whereof the petitioner had agreed to pay Rs.3,75,000/- to the respondent No.2.
3. It is further submitted that out of Rs.3,75,000/-, an amount of Rs.3,00,000/- has already been paid to respondent No.2. It is also submitted that the marriage between the

petitioner and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 23.4.2018.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that she has no objection to the petition being allowed and the FIR being quashed in case the petitioner pays the balance amount of Rs.75,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

5. Learned counsel for the petitioner submitted that the petitioner has brought a demand draft bearing No.902793, dated 19.8.2019, drawn on Canara Bank, for an amount of Rs.75,000/-, which has been handed over to the respondent No.2 today in the Court.

6. 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.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 0737/2015, under Sections 498-A/406/34 of the IPC, registered at P.S.: Krishna Nagar, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 27, 2019

tp