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

+ **CRL.M.C. 4788/2018**

MR. ANKUSH MAHOUR & ORS. Petitioners

Through Mr. Brij Bhushan Solanki, Adv.
for petitioners in person

versus

STATE & ANR. Respondents

Through Mr. Raghuvinder Verma, APP
with SI Kaushik Ghosh
Mr. K. Mudgil, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **20.12.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.94/2012, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Shahdara, Delhi and the proceedings emanating therefrom.
2. Previous cost of Rs.5,000/- paid by the petitioners to the respondent No.2 in the Court today in cash.
3. The petitioners and respondent No.2 as well as the learned counsel for the parties 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 23.12.2015, in pursuance whereof, the marriage of the petitioner No.1

and the respondent No.2 stands dissolved vide decree of divorce dated 19.1.2017.

4. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioners have already paid the entire amount to her and now nothing remains due from the petitioners. Respondent No.2 further submitted that, she has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that in view of the no objection from the respondent No.2, the present petition may be allowed and the FIR may be quashed.

6. 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.

7. Learned counsel for the respondent No.2 submitted that in terms of the settlement arrived at between the parties, he shall move an application before the Trial Court for release of amount of Rs.6 lacs deposited before it.

8. Learned counsel for the petitioners submitted that the petitioners have no objection in case the said amount deposited before the Trial Court is released in favour of respondent No.2. Let the said application, if any, be moved by the respondent No.2 before the Trial Court and the Trial Court may dispose of the same in accordance with law.

9. 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.94/2012, under Sections 498-A/406/34 of the IPC, registered at P.S.: Shahdara, Delhi and the proceedings emanating therefrom are quashed. Parties shall remain bound by the terms and conditions of the aforesaid settlement dated 23.12.2015.

10. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

DECEMBER 20, 2019/rk