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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4918/2018**
RAKESH Petitioner

Through: Mr. Satyam Sisodia, Advocate

versus

THE STATE (NCT OF DELHI) & ORS Respondents

Through: Mr. Mukesh Kumar, APP with
SI Manish Tyagi, PS:S.P.
Badli, Delhi
Mr. Abhishek, Advocate for
respondent No.2

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.160/2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: S.P. Badli, Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Counselling Cell, Family Court (North-West), Rohini, Delhi on 2.5.2017, in terms whereof the petitioner had agreed to pay Rs.2,00,000/- to the respondent No.2.

3. It is further submitted that out of Rs.2,00,000/-, an amount of Rs.1,50,000/- 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 15.2.2018.

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.50,000/- 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 banker's cheque bearing No.734058, dated 26.8.2019, drawn on Bank of Baroda, for an amount of Rs.50,000/-, 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. 160/2013, under Sections 498-A/406/34 of the IPC, registered at P.S.: S.P. Badli, Delhi and the proceedings emanating

therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

AUGUST 27, 2019

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