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

+ **CRL.M.C. 5033/2018 & CRL.M.A. 33395/2018**

DEEPAK SHARMA & ORS. Petitioners
Through: Mr. Deepak Sharma and Ms.
Pooja Srivastava, Advs. with
the petitioners in person

versus

STATE & ANR. Respondents
Through: Mr. Kamal Kumar Ghei, APP
with IO in person
R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **10.05.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of C.C. No.3015/2013 (New C.C. No.627610/2016) u/s 323/498-A/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Jaitpur, South-East District, Delhi and the proceedings emanating therefrom.
2. Respondent No.2 has filed her affidavit as well as her proof of identity on record.
3. 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 vide a Memorandum of Understanding dated 11.4.2018, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2

stands dissolved vide decree of divorce dated 6.6.2018.

4. 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.1 lac 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.1 lac to her, she has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.292654 dated 9.5.2019 for an amount of Rs.1 lac 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.

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. 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, C.C. No.3015/2013 (New C.C. No.627610/2016) u/s 323/498-A/34 of the IPC, registered at P.S.: Jaitpur, South-East District, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms. Pending application also stands disposed of.

CHANDER SHEKHAR, J

MAY 10, 2019/rk