

\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5162/2018**

DR. JAYANTI PRASAD Petitioner
Through: **Mr. Atul Guleria & Mr. Rahul Tyagi, Advocates**

versus

STATE & ANR. Respondents
Through: **Mr. Amit Chaddha, APP**
Ms. Chandrani Prasad & Mr. Anuj Jain, Advocates for respondent No.2

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER
% **22.10.2019**

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.226/2016, under Sections 354(D)/341/506 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Defence Colony, 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 vide Memorandum of Understanding dated 27.2.2017.
3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter stands settled, she has no objection to the petition being allowed and the FIR being quashed.

4. 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 23.5.2018.

5. 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.

6. Learned counsel for the petitioner submitted that the petitioner is ready and willing to contribute a sum of Rs.25,000/- for some social beneficial cause in any trust or association.

7. In view of the aforesaid circumstances, the settlement arrived at between the parties and taking into consideration the age and socio-economic background of the petitioner, I deem it appropriate to give him a chance to reform and reintegrate into the society as a productive member. The petitioner is warned to be careful in future and to not indulge in such activities again. Taking into consideration the remorseful attitude of the petitioner, this Court is also 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. 226/2016, under Sections 354(D)/341/506 of the IPC, registered at P.S.: Defence Colony, Delhi and the proceedings emanating therefrom are quashed, subject to cost of Rs.25,000/- to be deposited by the petitioner within 14 days, out of which

Rs.5,000/- be deposited in the Prime Minister's National Relief Fund, Rs.5,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.5,000/- in the Delhi High Court Advocates' Welfare Trust, Rs.5,000/- with the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.5,000/- in the Delhi High Court Staff Welfare Fund SB A/c No.15530110074442 UCO Bank, Delhi High Court and receipts of the deposits be filed in the Registry within two weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within 21 days. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

OCTOBER 22, 2019

tp