

\$~44

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

+ **CRL.M.C. 5774/2018**

**KULDEEP & ORS**

..... Petitioners

Through: Ms. Anita Saini, Advocate

versus

**STATE & ANR**

..... Respondents

Through: Mr. Raghvinder Verma, APP  
with SI Jasmer Singh, P.S.  
Jahangir Puri  
Respondent No.2 in person

**CORAM:**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

%

**19.12.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.396/2010 dated 02.12.2010, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Jahangirpuri, New Delhi and the proceedings emanating therefrom.

2. Response by way of affidavit as well as proof of identity stands filed by the respondent No.2.

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 as is evident from the joint statement recorded before the Principal Judge,

Family Courts, North West, Rohini, Delhi on 27.10.2016, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce of even date.

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.235236 dated 10.12.2019 for an amount of Rs.1 lac drawn on Punjab National Bank, 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, FIR No.396/2010 dated 02.12.2010, under Sections 498-A/406/34 of the

IPC, registered at P.S.: Jahangirpuri, New Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

**CHANDER SHEKHAR, J**

**DECEMBER 19, 2019**

**Aj**