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

+ CRL.M.C. 5675/2018

SH. GIRISH DAYANI

..... Petitioner

Through: Mr. Mahesh Verma, Adv. with
petitioner in person

versus

STATE & ANR.

.... Respondents

Through: Mr.Panna Lal Sharma, APP
with SI Bramha Dutta, PS
Sunlight Colony, New Delhi
R-2 in person with her counsel

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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17.01.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.372/2012 under Sections 498-A/406 of the Indian Penal Code, 1860 (IPC), registered at Police Station Sunlight Colony, New Delhi and the proceedings emanating therefrom.

2. The petitioner and respondent No.2, who is present in the Court with her father, as well as the learned counsel for the parties submitted that the matter between the petitioner and the respondent No.2 stands settled as is evident from the joint statement of the petitioner and the respondent No.2 dated 30.3.2016 which was recorded before the Principal Judge (South-East), Family Courts, Saket, New Delhi in pursuance whereof, their marriage stands dissolved vide a decree of

divorce dated 27.5.2017.

3. 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.

4. The petitioner and the respondent No.2, present in the Court, stated that the settlement was arrived at between the parties on their own free will, without any force, pressure or coercion, in terms whereof the petitioner has already paid a sum of Rs.1 lac to the respondent No.2 and only a balance amount of Rs.50,000/- has to be paid. Respondent No.2 submitted that in case the petitioner pays the balance amount of Rs.50,000/- in terms of the settlement arrived at between the parties, she has no objection to the quashing of the FIR and the petition being allowed.

5. Learned counsel for the petitioner submitted that the petitioner has brought a Demand Draft bearing No.246061 dated 15.1.2019 for an amount of Rs.50,000/- which has been handed over to the respondent No.2 in Court. The parties submitted that in view of the payment of the balance amount as well as in the interest of justice, the aforesaid petition may be allowed.

6. In view of the aforesaid circumstances, 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.372/2012 under Sections 498-A/406 of the IPC, registered at Police Station Sunlight Colony, New Delhi and all the consequential proceedings

arising out of the FIR are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 17, 2019/rk