

\$~30

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5381/2018 & CRL.M.A.34713/2018**

PRATIK SHARMA & ORS. Petitioners

Through: Ms. Vishaka Ahuja & Mr.
Harsimran Singh, Advocates

versus

STATE & ANR. Respondents

Through: Mr. Ashish Dutta, APP with SI
Subhash Chandra, PS:S.P.
Badli, Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

29.04.2019

1. General Power of Attorney on behalf of petitioner No.3 in favour of petitioner No.1 stands filed.
2. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.874/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') and Section 4 of the Dowry Prohibition Act, 1961 (DP Act), registered at P.S.: Samay Pur Badli, Delhi and the proceedings emanating therefrom.
3. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion, before the Counselling Cell, Family Court on 9.7.2018, in terms whereof

petitioner No.1 had agreed to pay Rs.15,50,000/- to the respondent No.2. It is further submitted that out of Rs.15,50,000/-, an amount of Rs.10,50,000/- has already been paid to respondent No.2.. It is also submitted that the marriage between the petitioner No.1 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 1.10.2018.

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 petitioners pay the balance amount of Rs.5,00,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.463915, dated 10.4.2019, drawn on Allahabad Bank, for an amount of Rs.5,00,000/-, 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 petitioners as well as respondent No.2 and has also verified the settlement.

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.874/2014, under Sections 498-A/406/34 of the IPC and Section 4 of the DP Act, registered at P.S.: Samay Pur Badli, and the proceedings emanating therefrom are quashed.

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

CHANDER SHEKHAR, J

APRIL 29, 2019

tp