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

+ **CRL.M.C. 5458/2018**

TANMAYA TYAGI

..... Petitioner

Through: Mr. Vidit Gupta, Adv. with the
petitioner in person

versus

STATE & ANR

.... Respondents

Through: Mr. Kamal Kumar Ghei, APP
with SI Usman Ali, PS Anand
Parbat, Delhi
R-2 with counsel (name not
given)

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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05.07.2019

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.903/2015 dated 31.12.2015, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Anand Parbat, Delhi and the proceedings emanating therefrom.
2. Respondent No.2 has filed her response by way of affidavit as well as her proof of identity on record.
3. The petitioner and respondent No.2 as well as the learned counsel for the parties submitted that the parties have settled their disputes on their own free will, without any force or coercion vide a Memorandum of Understanding dated 23.1.2017, in pursuance

whereof, the marriage of the petitioner and the respondent No.2 stands dissolved vide decree of divorce dated 18.12.2017.

4. Learned counsel for the petitioner submitted that the petitioner has deposited a sum of Rs.20 lacs with the Trial Court and he has no objection if the same is released in favour of the respondent No.2.

5. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that the petitioner has already paid a sum of Rs.80 lacs to her and the balance amount of Rs.20 lacs is lying deposited with the Trial Court.

6. Respondent No.2 submitted that she has no objection to the petition being allowed and the FIR being quashed.

7. Learned counsel for the petitioner submitted that in view of the no objection from the respondent No.2, the present petition may be allowed and the FIR may be quashed.

8. 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.

9. 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.903/2015 dated 31.12.2015, under Sections 498-A/406 of the IPC, registered at P.S.: Anand Parbat, Delhi and the proceedings emanating therefrom are quashed.

10. Respondent No.2 may move an application for the withdrawal of the amount of Rs.20 lacs deposited by the petitioner with the Trial Court and the application may be disposed of by the Trial Court as per law.

11. Parties shall remain bound by the terms and conditions of the Memorandum of Understanding dated 23.1.2017.

12. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 05, 2019/rk