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

+ CRL.M.C. 5627/2018

NADEEM KHAN & ORS

..... Petitioners

Through: Mr. Salman Hashmi, DHCLSC

versus

STATE & ANR

..... Respondents

Through: Mr. Amit Chadha, APP with SI
Ganga Pal, P.S. Sarai Rohilla
Mr. Sunil Dutt Dixit, Advocate
for R-2.

+ CRL.M.C. 5639/2018

KARIM KHAN

..... Petitioners

Through: Ms. Prabha Mishra, Advocate

versus

STATE & ANR

..... Respondents

Through: Mr. Amit Chadha, APP with SI
Ganga Pal, P.S. Sarai Rohilla
Mr. Sunil Dutt Dixit, Advocate
for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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27.11.2019

1. Issue notice.
2. Notice is accepted by the learned APP for the State as well as by the learned counsel for respondent No.2.
3. Learned counsel for the petitioners submitted that two

translated copies of the order dated 1.4.2016 regarding the decree of declaration for dissolution of marriage between the parties have been filed.

4. The petitioners have filed the present petitions under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.33/2013 dated 16.01.2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S. Sarai Rohilla, North Delhi and the proceedings emanating therefrom.

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

6. The petitioners 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 before Delhi Mediation Centre, Tis Hazari Courts, Delhi on 19.02.2018 and also vide Memorandum of Understanding dated 6.08.2019, in pursuance whereof, the marriage between the parties stands dissolved vide order dated 1.4.2016.

7. 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.1.5 lacs 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.1.5 lacs to her, she has no objection to the petition being allowed and the FIRs being quashed.

8. Learned counsel for the petitioners submitted that the

petitioners have brought a demand draft bearing No.324134 dated 18.11.2019 for an amount of Rs.1.5 lacs 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.

9. 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.

10. 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.33/2013 dated 16.01.2013, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S. Sarai Rohilla, North Delhi and the proceedings emanating therefrom are quashed.

11. Petitions are disposed of in above terms.

CHANDER SHEKHAR, J

NOVEMBER 27, 2019

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