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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5994/2018**

ASIF ALI @ SALIM ALVI & ORS Petitioners

Through: **Mr. Vikram Singh Bhatia &
Mr. Munni Lal, Advocates**

versus

STATE (GOVT OF NCT) OF DELHI & ANR..... Respondents

Through: **Mr. Ashish Dutta, APP with SI
Niraj Kumar, PS:Pandav
Nagar, Delhi
Mr. Abhishek Rana, Advocate
for respondent No.2**

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **10.04.2019**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.779/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Pandav Nagar, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as their respective counsel submitted that the parties have settled their disputes on their own free will, without any force or coercion vide Memorandum of Understanding dated 5.7.2017, before the Delhi Mediation Centre, Karkardooma Courts, Delhi, in terms whereof petitioner No.1 had agreed to pay Rs.1,75,000/- to the respondent No.2. It is further submitted that out of

Rs.1,75,000/-, an amount of Rs.1,00,000/- has already been paid to respondent No.2. It is also submitted that the petitioner No.1 has pronounced *talaq* to respondent No.2 vide a fresh Declaration of Pronouncement of Divorce dated 3.2.2019, copy whereof has been placed on record by learned counsel for the petitioners.

3. Respondent No.2, who is present in Court with her parents, 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.75,000/- to her, which is required to be paid as per the settlement arrived at between the parties.

4. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft bearing No.922792, drawn on Bank of India, for an amount of Rs.75,000/-, which has been handed over to the respondent No.2 today in the Court.

5. 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.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the *talaq* between petitioner No.1 and respondent No.2, 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.779/2014, under Sections 498-A/406/34 of the IPC, registered at P.S.: Pandav Nagar, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

APRIL 10, 2019

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