

\$~33

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 6301/2018 & CRL.M.A.49429/2018**
SURENDER RANA & ORS Petitioners
Through: Mr. S. Hussain & Mr. Ranjan
Ray, Advocates

versus

THE STATE & ANR Respondents
Through: Mr. Kamal Kumar Ghai, APP
with Inspector Nitesh,
PS:Kanjhawala, Delhi

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

24.01.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.641/2015, under Sections 498A/313/323/509/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Kanjhawala, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as learned counsel for the petitioners submitted that the parties have settled their disputes on their own free will, without any force, pressure or coercion, as is evident from the joint statement of petitioner No.1 and respondent No.2 recorded before the Judge, Family Court, Rohini dated 9.8.2017 (at pages 48-49), in terms whereof the marriage between petitioner No.1 and respondent

No.2 stands dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 10.4.2018 and the petitioner No.1 had agreed to pay Rs.13,50,000/- to respondent No.2, out of which Rs.10,00,000/- has already been paid.

3. Respondent No.2 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 petitioner No.1 pays the balance amount of Rs.3,50,000/- to her, which is required to be paid as per the Settlement dated 5.7.2017.

4. Learned counsel for the petitioners submitted that the petitioners have brought two Demand Draft bearing Nos.154201, dated 13.11.2018, drawn on Punjab & Sind Bank, for an amount of Rs.2,00,000/- and 154244, dated 23.1.2019, drawn on Punjab & Sind Bank, for an amount of Rs.1,50,000/- respectively, which have been handed over to the respondent No.2 today in the Court.

5. The Investigating Officer ('IO'), who is present in the Court, has identified the petitioners as well as respondent No.2 and has also verified about the said Settlement.

6. 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. 641/2015, under Sections

498A/313/323/509/34 of the IPC registered at P.S.: Kanjhawala, Delhi and the proceedings emanating therefrom are quashed.

7. Petition is disposed of in above terms. The pending application is also disposed of.

CHANDER SHEKHAR, J

JANUARY 24, 2019

tp