

\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 6367/2018

ABDUL WAJID & ORS

..... Petitioners

Through: Mr. Girraj Singh, Advocate

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Kamal Kumar Ghai, APP
with SI Vikas, PS:Bindapur,
Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

08.01.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1693/2015, under Sections 498A/406/34 of the Indian Penal Code, 1860 ('IPC') registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom.

2. The petitioners and respondent No.2 as well as learned counsel for the petitioners submitted that due to temperamental differences and certain other reasons, petitioner No.1 and respondent No.2 were living separately from each other since 5.4.2015 and the matter was settled between the parties on their own free will, without any force or coercion, before the Mediation Centre, Dwarka Courts, Delhi on 4.9.2018, in pursuance whereof, the petitioner No.1 had agreed to pay Rs.5,00,000/- to respondent No.2, out of which Rs.3,00,000/-

has already been paid.

3. Respondent No.2, who is present with her father, 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.2,00,000/- to her, which is required to be paid as per the terms of the Settlement.

4. Learned counsel for the petitioners submitted that the petitioners have brought a Demand Draft bearing No.187277, dated 27.12.2018, drawn on Sarva Haryana Gramin Bank, for an amount of Rs.2,00,000/-, 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 about the said Settlement.

6. Respondent No.2 further submitted that in view of the payment of the balance amount of Rs.2,00,000/-, the petition may be allowed and the FIR may be quashed.

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.1693/2015, under Sections 498A/406/34 of the IPC, registered at P.S.: Bindapur, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms. However, the parties shall remain bound by the terms and conditions of the Settlement dated 4.9.2018.

CHANDER SHEKHAR, J

JANUARY 08, 2019

tp