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

\+ CRL.M.C. 6501/2018

SH. PRADEEP KUMAR & ORS ..... Petitioners

Through: Mr. Pankaj Sinha, Advocate

versus

STATE & ANR. ..... Respondents

Through: Mr. Panna Lal Sharma, APP with SI Roop Lal, PS:Begum Pur, Delhi

Mr. Polanki Gowtham, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

O R D E R

% 04.07.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.141/2017, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Begumpur, 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 before the Delhi Mediation Centre, Rohini District Courts, Delhi on 16.8.2018, in terms whereof petitioner No.1 had agreed to pay Rs.4,00,000/- to the respondent No.2. It is further submitted that out of Rs.4,00,000/-, an amount of Rs.3,00,000/- has already been paid to respondent No.2. It is also submitted

that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 16.11.2018.

3. Respondent No.2, who is present in Court with her father, 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.1,00,000/- 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 banker's cheque bearing No.613361, dated 13.5.2019, drawn on State Bank of India, for an amount of Rs.1,00,000/-, 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 the settlement arrived at between the parties.

6. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, 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. 141/2017, under Sections 498-A/406/34 of the IPC, registered at P.S.: Begumpur, Delhi and the proceedings emanating

therefrom are quashed.

7. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 04, 2019
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