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

+ **CRL.M.C. 3283/2019**

SHRIVARDHAN KANORIA & ORS. Petitioners

Through Mr. Karan Khanuja, Adv. with
the petitioner No.1 in person

versus

STATE (GOVT. OF NCT OF DELHI) Respondent

Through Mr. Amit Chadha, APP with SI
Hemant
Mr. Shailesh Pandey, Adv. for
R-2 with R-2 in person

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **17.01.2020**

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.04/2019, under Sections 498-A/406 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Vasant Kunj North, Delhi and the proceedings emanating therefrom.
2. Copy of decree of divorce filed on record by the learned counsel for the petitioners.
3. Special Power of Attorneys executed by petitioner No.2 and the petitioner No.3, both in favour of the petitioner No.1, have already been filed on record.
4. The petitioner No.1 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 vide a Memorandum of Settlement dated 10.4.2019, in pursuance whereof, the marriage of the petitioner No.1 and the respondent No.2 stands dissolved vide decree of divorce dated 16.12.2019.

5. 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.15 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.15 lacs to her, she has no objection to the petition being allowed and the FIR being quashed.

6. Learned counsel for the petitioners submitted that the petitioner No.1 has brought two demand drafts bearing No.534150 dated 6.1.2020 for an amount of Rs.6 lacs and No.534149 dated 6.1.2020 for the amount of Rs.9 lacs which have 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.

7. 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.

8. 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.04/2019, under Sections 498-A/406 of the IPC, registered at P.S.: Vasant Kunj North, Delhi and the proceedings emanating therefrom are quashed.

9. Petition is disposed of in above terms.

CHANDER SHEKHAR, J

JANUARY 17, 2020/rk