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

Date of decision: 21.10.2020

+ CRL.M.C. 2034/2020

MR SATISH GUPTA & ORS.

..... Petitioners

Through Petitioners in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through Mr. Panna Lal Sharma, APP for State
with SI Raj Kumar, PS Neb Sarai,
Delhi
Respondent No.2 in person

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

J U D G M E N T (O R A L)

1. Vide the present petition, petitioners seek direction thereby for quashing of FIR No.553/2018 dated 17.12.2018 registered at PS – Neb Sarai, Delhi for the offences punishable under sections 498A/406/377/34 IPC and all other proceedings arising therefrom.
2. Notice issued.
3. Notice is accepted by learned APP for State and by respondent No.2 in person and with the consent of parties, the present petition is taken up for final disposal.

4. The present petition is filed on the ground that parties have settled their disputes and respondent No.2 has no objection if the present petition is allowed.

5. Petitioner No.1 and Respondent No.2 got married on 11.12.2017 as per Hindu rites and ceremonies. Due to extreme incompatibilities, they started living separately from 02.06.2017.

6. Petitioner and respondent No.2 have entered into an amicable settlement before the Mediation Centre, Saket Courts, New Delhi vide settlement deed dated 13.09.2019.

7. As per the settlement, respondent no.2 has to pay a sum of Rs.6 lacs to the petitioner no.1 towards the settlement amount in three instalments. Out of total settlement amount, Rs.1.5 lacs has already been paid. Respondent no.2 has handed over a demand draft for an amount of Rs.2 lacs to the Petitioners in the Court today. Remaining amount of Rs.2.5 lacs shall be paid by respondent no.2 to the petitioner at the time of second motion petition for divorce.

8. Respondent no.2 is personally present in Court who has been identified by SI Raj Kumar/IO and submits that the matter has been settled and she does not wish to prosecute the matter any further.

9. Taking into account the aforesaid facts, this Court is inclined to quash FIR as no useful purpose would be served in prosecuting petitioner any further.

10. For the reasons afore-recorded, FIR No.553/2018 dated 17.12.2018 registered at PS – Neb Sarai for the offences punishable under section 498A/406/377/34 IPC and consequent proceedings emanating therefrom are quashed.

11. Parties shall abide by the terms and conditions of the settlement.

12. Respondent no.2 shall pay the balance settlement amount of Rs.2.5 lacs to the petitioner no.1 at the time of second motion petition for divorce.

13. The petition is, accordingly, allowed and disposed of.

14. The order be uploaded on the website forthwith.

OCTOBER 21, 2020/rk

SURESH KUMAR KAIT, J