

Vimal Kumar & Others vs The State (Delhi Admn) Delhi & Anr on 14 May, 2019

Author: Chander Shekhar

Bench: Chander Shekhar

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 4640/2018
VIMAL KUMAR & OTHERS Petitioners
Through: Mohd.Saleem, Advocate

versus

THE STATE (DELHI ADMN) DELHI & ANR.....Respondents
Through:Mr. Kamal Kumar Ghei, APP

CORAM:
HON'BLE MR. JUSTICE CHANDER SHEKHAR
ORDER

% 14.05.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.25/2014, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Timarpur, Delhi and the proceedings emanating therefrom.

2. Respondent No.2 has filed her affidavit as well as her proof of identity on record.

3. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion vide settlement deed/Memorandum of Understanding dated 16.3.2018, in terms whereof petitioner No.1 had agreed to pay Rs.2,00,000/- to the respondent No.2. It is further submitted that out of Rs.2,00,000/-, an amount of Rs.1,40,000/- has already been paid to respondent No.2. It is also submitted that marriage between petitioner No.1 and respondent No.2 stands dissolved vide decree of divorce dated 2.6.2018.

4. 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.60,000/- 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.60,000/- to her, she has no objection to the petition being allowed and the FIR being quashed.

5. Learned counsel for the petitioners submitted that the petitioners have brought a demand draft

bearing No.502479 dated 29.4.2019 for an amount of Rs.60,000/- which has 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.

6. 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.

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.25/2014, under Sections 498-A/406/34 of the IPC, registered at P.S.: Timarpur, Delhi and the proceedings emanating therefrom are quashed.

8. Petition is disposed of in above terms.

CHANDER SHEKHAR, J MAY 14, 2019/rk