
(2000) 03 DEL CK 0090

Delhi High Court

Case No: Criminal Misc. (Main) No. 2933 of 1999

Kamal Kishore Bahl and Others

APPELLANT

Vs

State and Another

RESPONDENT

Date of Decision: March 9, 2000

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 34, 406, 494, 498A

Citation: (2000) 86 DLT 544 : (2000) 56 DRJ 719

Hon'ble Judges: Dalveer Bhandari, J

Bench: Single Bench

Advocate: Chitra Gera, Proxy Counsel and Party in perso, for the Appellant; S. Kohli, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

1. This Petition has been filed u/s 482 of the Code of Criminal Procedure for quashing the FIR No. 192/93 under Sections 406/498-A/494/34, IPC registered at P.S. Mukherjee Nagar, Delhi. The notices were given to the respondents and in pursuance thereto State/respondent No. 1 and respondent No. 2 Smt. Pooja Rani (complainant) are present. She is identified by Mr. S.S. Bakshi, Advocate. The learned Counsel appearing for the parties submit that the parties have obtained a decree of divorce by mutual consent. The parties have settled the matter. The complainant accepted Rs. 3,00,000/- as full and final settlement of all her claims. In pursuance to the settlement, the petitioner has already paid Rs. 2,60,000/- and today he has paid two Bank Drafts (No. 174792 dated 5.3.2000 of Rs. 10,000/- and No. 148484 dated 28.2.2000 of Rs. 27,000/-) amounting to Rs. 37,000/- and Rs. 3,000/- in cash to the complainant. The complainant submits that the FIR filed by her be quashed.

2. I have heard learned Counsel for the parties. Since the parties have obtained a decree of divorce by mutual consent and have settled the entire matter, no useful

purpose would be served in compelling the parties to face the criminal trial/prosecution.

3. On consideration of totality of the facts and circumstances and in the interest of justice, I deem it appropriate to quash the FIR No. 192/93 under Sections 406/498-A/494/34, IPC registered at P.S Mukherjee Nagar, Delhi and proceedings before the Court of Mr. S.K. Gupta, MM, Delhi.

This petition is accordingly disposed of.