

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

+ **Crl.M.C.No.2100/2008**

% **Date of decision: 23.07.2008**

Shri Mahesh Chandra & Others Petitioners
Through: Mr.S.N. Pandey and Mr. Binod
Kumar Singh, Advocates.

Versus

The State (NCT of Delhi) & Another Respondents
Through : Mr. R.N. Vats, APP for the State.

CORAM :-

* **HON'BLE MR. JUSTICE ANIL KUMAR**

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|----|---|-----|
| 1. | Whether reporters of Local papers may be allowed to see the judgment? | YES |
| 2. | To be referred to the reporter or not? | NO |
| 3. | Whether the judgment should be reported in the Digest? | NO |

ANIL KUMAR, J.

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Petitioner No.1 and Respondent No.2 are present with their counsel. The learned counsel for the parties state that the marriage between the petitioner no.1 and respondent no.2 has been dissolved by a decree of dissolution of marriage dated 21st January, 2008 under Section 13B (1) of the Hindu Marriage Act, 1955. Learned counsel for the parties and the parties present also state that all the disputes between the parties have been settled. Respondent no.2 has also settled all her claims against the petitioner no.1 for a total sum of Rs.2,40,000/- out of which Rs.1,90,000/- has already been paid to

respondent no.2 and the balance amount of Rs.50,000/- has been paid to the respondent no.2 today in the court by way of two cheques, one cheque bearing No.252514 dated 24th July, 2008 for a sum of Rs.35,000/- drawn on ICICI Bank Limited, Green Park Branch, Delhi in favour of Respondent No.2 and another cheque bearing no. 252513 dated 5th August, 2008 for a sum of Rs.15,000/- drawn on ICICI Bank Limited, Green Park branch, Delhi drawn in favour of respondent no.2. The petitioner no.1, present in Court, also undertakes that these cheques shall be honoured on presentation and shall not be dishonoured on any account.

Let the statement of Respondent No.2, Ms. Chander Kala, be recorded.

Statement of respondent No.2 has been recorded.

The parties have contended that since the matter has been settled, the Petitioner No.1 and Respondent No.2, husband and wife whose marriage has now been dissolved, no useful purpose shall be served in continuing the proceedings pursuant to FIR No. 703/2007 under Section 498 A/406 of Indian Penal Code registered at P.S. Malviya Nagar, New Delhi, against the Petitioners. It is also contended that it shall be in the interest of justice if all the disputes are terminated.

In these facts and considering the totality of circumstances, the FIR 703/2001 under Section 498A/406 of Indian Penal Code registered

at P.S. Malviya Nagar, New Delhi, and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

July 23, 2008
'j'

ANIL KUMAR, J.