

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

+ **CRL.M.C.No.2718/2008**

% **Date of Decision: 04.09.2008**

Sh.Anuj Saxena & Others Petitioners
Through Mr.Mukesh Kumar, Advocate for petitioners
along with petitioner No.1 in person.

Versus

The State (NCT of Delhi) & Another Respondents
Through Mr.R.N.Vats, APP for the State.
Mr. Anuj Aggarwal, Advocate for the
respondent No.2 along with respondent No.2
in person.

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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Issue notice to the respondent. Mr.Vats accepts notice on behalf of State. Mr.Anuj Aggarwal accepts notice on behalf of respondent No.2, Ms.Smriti Pandit who is also present in person.

Learned counsel for the parties contend that the disputes between the petitioners and respondent No.2 have been resolved amicably. The marriage between the petitioner No.1 and respondent No.2 has been dissolved by a decree of divorce dated 04.06.2008 by mutual consent under Section 13 B (2) of Hindu Marriage Act, 1955. It is also contended that under the settlement the respondent No.2 is

entitled for Rs.8 lakhs out of which Rs.5 lakhs was paid earlier and the balance amount of Rs.3 lakh has been paid today in the Court by a demand draft for Rs.2 lakhs bearing No.041715 dated 29th July, 2008 drawn on Union Bank of India, Prashant Vihar, Delhi and another demand draft for Rs.1 lakh bearing No.144553 dated 30th July, 2008 drawn on ICICI Bank, Rohini, Delhi.

In the circumstances, the learned counsel for the parties contend that no useful purpose shall be served in continuing with the proceedings pursuant to FIR No.192/2008 under Sections 498A/406/34 of Indian Penal Code registered at Police Station Rohini, against the petitioners. It is also contended that it shall be in the interest of justice if the said FIR and all the proceedings emanating therefrom against the petitioners are quashed.

Let the statement of respondent No.2 be recorded.

Statement of respondent No.2 has been recorded who has been identified by her counsel. Considering the statement of respondent No.2 it is apparent that no useful purpose shall be served in continuing the proceedings pursuant to FIR No.192/2008 under Sections 498A/406/34 of Indian Penal Code registered at Police Station Rohini, against the petitioners. It shall also be in the interest of justice to quash the said FIR and all the proceedings emanating therefrom, in the facts and circumstances. Learned Additional Public Prosecutor, Mr.Vats, has also no objection to quashing of FIR No.192/2008 under

Sections 498A/406/34 of Indian Penal Code registered at Police Station Rohini and all the proceedings emanating therefrom against the petitioners.

In the totality of facts and circumstances, FIR No.192/2008 under Sections 498A/406/34 of Indian Penal Code registered at Police Station Rohini and all the proceedings emanating therefrom against the petitioners are quashed.

The petition is disposed of.

Dasti.

September 04, 2008
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ANIL KUMAR, J.