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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2346/2010 & Crl.M.A. No.12656/2010

AJAY PRATAP SINGH & ORS

..... Petitioners

Through : Mr. A.K. Gahlot, Adv. with
petitioners in person.

versus

STATE & ANR

..... Respondents

Through : Mr. Sunil Sharma, APP for the State.
R-2/complainant in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

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28.09.2010

1. The present petition is filed by the petitioners under Section 482 Cr.P.C. praying *inter alia* for quashing of FIR No.168/1997 lodged by the respondent No.2/complainant, against her husband, petitioner No.1, and his family members, petitioners No.2 to 5, under Section 498A/406/34 IPC read with Section 3/5 of the Dowry Prohibition Act, registered with PS S.N. Puri, New Delhi, and all proceedings arising therefrom.

2. It is the case of the parties that marriage of the petitioner No.1

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and the respondent No.2/complainant was solemnized on 4.6.1994 at Delhi. However, there is no issue born from out of the wedlock. It is stated that in the year 1994 itself, on account of temperamental differences between the parties, they started staying separately and the FIR in question came to be lodged by the respondent No.2/complainant on 20.12.1997. y

3. After investigations were completed, a charge sheet was filed and the matter is stated to be at the stage of recording of evidence of the complainant. In the meantime, the petitioner No.1 filed a petition for grant of divorce in the District Court at Chandigarh, wherein an *ex parte* judgment and decree dated 2.11.2006 came to be passed. It is now stated that with the intervention of family friends and well wishers, the parties have arrived at a settlement, as recorded in the Compromise Deed dated 24.6.2010 (Annexure-B).

4. Counsel for the petitioners states that in terms of the aforesaid settlement, the respondent No.2 agreed to receive a sum of ₹.7,50,000/- from the petitioners in full and final settlement of all her claims against them.

5. The respondent No.2/complainant, who is present in the Court and is duly identified by the counsel for the petitioners, confirms the

fact that the parties have arrived at a settlement in terms of which she has received a sum of ₹.7,50,000/- from the petitioners in full and final settlement of all her claims against the petitioners. She submits that in view of the aforesaid settlement, she shall not make any claim against the petitioners on the basis of the orders passed in a petition filed by her against the petitioner No.1 under Section 125 Cr.P.C. She further states that she has no objection to the aforesaid FIR being quashed. Both the parties undertake that they shall remain bound by the terms and conditions of the settlement as recorded in the Compromise Deed dated 24.6.2010.

6. Learned APP for the State, on instruction from the IO, confirms the fact that the parties have arrived at a settlement and have obtained a decree of divorce. He, therefore, does not oppose the prayer made in the present petition.

7. This Court has heard counsels for the parties. In view of the submission made by the respondent No.2/complainant and in view of the fact that the parties have arrived at a settlement of their own free will and volition and without any undue influence or coercion from any quarters, no useful purpose will be served by proceeding further with the aforesaid FIR and the proceedings arising therefrom.

8. Accordingly, the prayer made in the petition is allowed and FIR No.168/1997 lodged by the respondent No.2/complainant with PS S.N. Puri, Delhi and all proceedings arising out therefrom stand quashed.

9. The petition is disposed of along with the pending application. File be consigned to the record room.



HIMA KOHLI,J

SEPTEMBER 28, 2010
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