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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 3462/2010 and CrI.M.A. 17065/2010

JASDEEP SINGH & ORS

..... Petitioners

Through: Mr. Mukesh Sharma, Advocate with
petitioners No.1 to 3 in person.

versus

STATE & ANR

..... Respondents

Through: Mr. M.N. Dudeja, APP for the State
Mr. Azhar Qayum, Advocate with respondent
No.2/complainant in person.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

25.11.2010

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1. The present petition is filed by the petitioners under Section 482 of the Cr.PC praying *inter alia* for quashing of FIR No.67/2010, lodged by respondent No.2, wife of petitioner No.1 and daughter-in-law of petitioners No.2 and 3 under Sections 323/324/34 IPC, registered with Police Station: Rajouri Garden, Delhi.

2. Counsel for the petitioners states that the marriage of the petitioner No.1 and respondent No.2/complainant was solemnized on 20.12.2009. There is no child born from out of the wedlock. The parties are stated to have separated in March, 2010. This was followed by lodging of the aforesaid FIR by respondent No.2/complainant. On 27.04.2010, petitioner No.1 filed a divorce

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petition against respondent No.2, which was pending. However, in the meantime, the parties arrived at a settlement as recorded in the Compromise Deed dated 28.07.2010 (Annexure P-3). It is stated by the counsel for the petitioners that in terms of the settlement, petitioner No.1 has agreed to pay a sum of ₹15 lacs to respondent No.2/complainant in full and final settlement of all her claims against the petitioner³. Out of the aforesaid amount, a sum of ₹4 lacs has already been paid to respondent No.2/complainant. Today, a pay order for ₹3 lacs bearing No.422767 dated 06.11.2010 drawn on Indian Overseas Bank, Rajouri Garden, Delhi, is handed over to respondent No.2/complainant through counsel. It is agreed between the parties that the balance sum of ₹8 lacs shall be paid to respondent No.2/complainant in two installments, i.e., ₹2 lacs shall be paid at the time of filing of the first motion for divorce by mutual consent and ₹6 lacs at the time of filing of the second motion. It is, therefore, prayed that the present FIR may be quashed.

3. Respondent No.2/complainant is present in Court and represented by her counsel. She confirms the aforesaid position and states that a settlement has been arrived at with the petitioner of her own free will and volition and without any undue influence or

coercion from any quarters and that she has no objection to the FIR being quashed.

4. Learned APP for the State submits that after completion of investigation, charge-sheet has been filed and the matter is pending trial. However, in view of the settlement arrived at between the parties, he has no objection to the prayer made in the present petition being allowed.

5. This Court has heard counsels for the parties. In view of the submission made by 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.

6. Accordingly, the prayer made in the petition is allowed. FIR No.67/2010, lodged by respondent No.2/complainant with Police Station: Rajouri Garden, Delhi, and all proceedings arising therefrom are quashed.

7. The petition is disposed of alongwith the pending application. File be consigned to the record room.



HIMA KOHLI, J

NOVEMBER 25, 2010

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