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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3714/2011

SARVESH KUMAR & ORS

..... Petitioners

Through Mr.Kedar Yadav and Mr.Amod,
Advs.

versus

GOVT OF DELHI

..... Respondent

Through Mr.Sunil Sharma, APP
Mr.S.I.Dinesh Kumar, P.S. Dabri

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

11.11.2011

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1. This is a petition for quashing of FIR no. 815/2002, u/S 498A/406/34 IPC registered by P.S. Dabri in respect of which trial is still pending before the learned MM, Dwarka Courts on the ground that the petitioner no.1/husband has settled all his matrimonial disputes with the petitioner no.5/wife.
2. As a consequence of the said settlement, a decree of divorce has been obtained from the Competent Court on the basis of mutual consent on 10.8.2011. Copy of the said decree is placed on record.
3. The present petition for quashing of FIR and the consequent proceedings has been supported by an affidavit of the petitioner no.1 and the petitioner no.5, wherein the petitioner

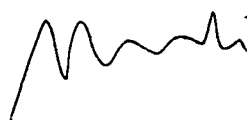
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no.5 has stated that apart from the decree of divorce, granted on the basis of the mutual consent, she has received the entire amount of Rs.5,50,000/- towards the full and final settlement of her entire claim.

4. It has been further stated that the petitioner no.5 has no objection in case the aforesaid FIR and the proceedings arising therefrom are quashed. Petitioner no.1 and petitioner no.5 are present in Court and are duly identified by the learned counsel for the petitioners.
5. Since the petitioner no.1 and the petitioner no.5 have settled their matrimonial disputes and have obtained divorce on the basis of the mutual consent, no useful purpose would be served by keeping the aforesaid FIR and the consequent proceedings pending.
6. Accordingly, FIR no. 815/2002, under Section 498A/406/34 IPC registered by P.S. Dabri and the consequent proceedings pending before the learned MM are quashed.
7. Parties to bear their own costs.


V.K. SHALI,J

NOVEMBER 11, 2011

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