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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3762/2011

MEENAKSHI @ BHUMIKA & ORS.

..... Petitioner

Through: Mr. Rajesh Bhatia, Advocate

versus

STATE & ANR.

..... Respondent

Through: Mr. Hirein Sharma, Adv. for R-2&3

CORAM:

HON'BLE MR. JUSTICE M.L. MEHTA

ORDER

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17.01.2012

This petition under Section 482 Cr. P.C. has been filed for quashing of FIR No. 35/2006 P.S. Prashant Vihar, registered on the complaint of the respondent/complainant namely, Smt. Radha Rani, under Section 324/451/506/34 IPC on the ground that parties, *inter se*, have compromised the matter.

The petitioners are present in person and are identified by their counsel. Respondent Nos. 2 & 3 are also present in person and are identified by their counsel.

Ms. Meenakshi was married with Mr. Dhiraj on 23rd January, 2004. They have a daughter, namely, Divya out of this wedlock. She is presently in the custody of her mother, i.e., petitioner No. 1, Ms. Meenakshi.

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Now there is an irretrievable break in the marriage of the couple. They have already filed a petition for grant of divorce by mutual consent. The first motion petition has already been allowed. They have arrived at a settlement in terms of MOU dated 4th February, 2011.

The second motion petition for divorce on mutual consent is being signed by the parties today. The petitioners have undertaken to cooperate in presentation and appearance before the Court for grant of divorce by mutual consent.

A sum of Rs.85,000/- has already been paid by Mr. Dhiraj to Ms. Meenakshi and the balance of Rs.1,05,000/- is to be paid at the time of grant of second motion petition of divorce by mutual consent before the Court.

Since the parties have arrived at a settlement, no useful purpose will be served in keeping the FIR pending. Hence the FIR No. 35/2006, P.S. Prashant Vihar, under Section 324/451/506/34 IPC, is quashed.

The parties shall be bound by the terms of MOU.

Bail bond is cancelled.

Needless to say that the quashing of FIR shall not prejudice the rights of the child, namely, Divya, which would be available to her in future, as per law.


M.L.MEHTA,J

JANUARY 17, 2012