

\$~31

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

+ CRL.M.C. 1446/2015

AMIT GABA @ ARUN GABA @ ORS Petitioners
Through Mr.Vijay Kr. Wadhwa, Adv. along
with petitioners No.1 to 3 in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR Respondents
Through Ms.Jasbir Kaur, APP for the State
along with ASI Banwari in person.
Mr.Dharmendra Sharma, Adv. with
Mr.Anil Saini, Adv. for R-2 along
with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **15.04.2015**

Petitioners No.1, 2 & 3 and respondent No.2 are present in Court who have been identified by their respective counsel.

This is a petition filed by the petitioners under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 636/2013 under Sections 498-A/406 IPC, Police Station Binda Pur, South West District, New Delhi. The aforesaid FIR is registered on the basis of complaint lodged by the complainant/ respondent No. 2, wife of petitioner No.1 herein.

The facts of the case are that marriage between the petitioner No.1 and respondent No. 2 was solemnized on 12th July, 2012 according to Hindu rites and ceremonies. As the disputes arose between them, respondent No. 2 lodged the aforesaid FIR against the petitioners.

It is stated that during the pendency of these proceedings, the

petitioner No.1 and respondent No.2 have settled their disputes before the Counselling Cell, Family Courts, Dwarka Court, New Delhi, on 15th May, 2014. Copy of the same is placed on record. The said settlement has been acted upon between the parties. They have also obtained divorce decree by mutual consent on the basis of the settlement. Copy of the decree dated 24th November, 2014 is placed on the record.

The complainant/ respondent No. 2, who is present in the court, affirms that the matter has been settled with her own consent and now she has no grievance left against the petitioners and she wishes to withdraw the complaint filed by her against the petitioners. Counsel for the State has no objection to the same.

Petitioners No.4 to 11 are not present. Respondent No.2 has no objection if the appearance of the said petitioners be dispensed with, in view of the fact that the disputes between the parties have already been resolved. Ordered accordingly.

As per settlement, today balance amount of Rs.50,000/- has paid to the respondent No.2 in cash.

In view of the averments made in the petition, I am of the opinion that no useful purpose would be served in continuing the proceedings arising out of the above said FIR. Accordingly, the proceedings arisen from the FIR No. 636/2013 under Sections 498-A/406 IPC, Police Station Binda Pur, South West District, New Delhi, are hereby quashed.

The petition stands disposed of. Dasti.

MANMOHAN SINGH, J.

APRIL 15, 2015/jk