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

+ W.P.(CRL) 806/2015

SAYAN DATTA & ANR

..... Petitioners

Through: Mr. Sagar Saxena, Adv. with
petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Saleem Ahmed, Standing
Counsel (Crl.) for State with Mr. Ajay
Pratap Singh, Adv. along with W/SI
Manju Chahar, P.S. Dwarka North.
Mr. Jitender Kumar, Adv. for R-2
along with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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27.04.2015

Petitioner no.1 and respondent nos. 2 were married as per Hindu rites and ceremonies on 5th August, 2011 in Kolkata. However, due to matrimonial acrimony, they could not live together from 14th March, 2012 onwards. On the complaint of respondent no.2, present FIR was registered against petitioner no.1 and his mother, that is, petitioner no.2 at police station Dwarka (North).

During the pendency of present FIR, petitioner no.1 and respondent no.2 have settled their disputes before the Mediation Centre, Dwarka on 22nd January, 2014. Petitioner no. 1 and respondent no.2 have decided to part

ways and have, in fact, obtained a divorce by mutual consent from Family Courts, Dwarka on 22nd November, 2014. Out of the settled amount of ₹9 lacs, petitioner no.1 has already paid ₹7 lacs to the respondent no.2. Remaining amount of ₹2 lacs has been paid today by the petitioners to respondent no.2 through a demand draft photocopy whereof, has been placed on record. Respondent no.2 is present in Court and confirms having received entire settled amount. She submits that she is not willing to pursue the FIR any further and the same may be quashed.

In view of the settlement arrived at between petitioner no.1 and respondent no.2, in my view, no fruitful purpose would be served in keeping them entangled in criminal proceedings more so, when they have already obtained a divorce by mutual consent. Accordingly, in the interest of justice, FIR No. 444/13 under Sections 498-A/406/34 IPC registered at police station Dwarka (North) and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

APRIL 27, 2015
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