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

+ W.P.(CRL) 800/2015 and Crl. M.A. No. 5754/2015

BIHAG MEHTA & ANR

..... Petitioners

Through :Mr. Anurag Ahluwalia and Mr.
Prashant Ghai, Advs.

versus

STATE & ANR

..... Respondents

Through :Mr. Saleem Ahmed, Standing
Counsel (Crl.) with Mr. Ajay Pratap
Singh, Adv. along with SI Balbir
Singh, P.S. Shahdara for respondent
no. 1
Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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22.04.2015

On the complaint of respondent no. 2, FIR No. 9/2013 under Sections 498-A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 was registered at Police Station Shahadra against the petitioners. Petitioner no. 1 and respondent no.2 were married on 15th July, 2008. Due to temperamental differences, they could not live together since October, 2011. Thereafter, on the complaint of respondent no.2 present FIR has been registered. During the pendency of investigation itself, petitioner no. 1 and respondent no. 2 have settled their disputes amicably vide Deed of Settlement dated 1st Mach, 2014. Petitioner no. 1 and respondent no. 2 have decided to part ways.

They have even obtained a decree of divorce by way of mutual consent from the Family Court, Karkardooma Courts, Delhi on 17th January, 2015. Out of the settled amount of ₹10,00,000/-, respondent no. 2 has already received ₹6,00,000/- from the petitioner no. 1. Remaining settled amount of ₹4,00,000/- has been paid by the petitioner no. 1 to respondent no. 2 today in Court vide a demand draft, photocopy whereof has been placed on record.

Respondent no. 2 states that she has no objection in case FIR is quashed.

Keeping in mind that parties have settled their disputes amicably and have taken a decree of divorce by mutual consent, no fruitful purpose would be served in keeping them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 9/2013 under Sections 498-A/406/34 IPC and Section 4 of the Dowry Prohibition Act, 1961 registered at Police Station Shahadra and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. Dasti.

A.K. PATHAK, J.

APRIL 22, 2015

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