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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1876/2015
SACHIN JAIN & ORS

..... Petitioners

Through Mr.Rakesh Saini, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through Ms.Kusum Dhalla, APP for the State
along with SI Amit Dutt.
Mr.Sandeep Srivastava, Advocate for
R-2 along with R-2 in person.

+ CRL.M.C. 1883/2015
NITIN JAIN & ORS

..... Petitioners

Through Mr.Rakesh Saini, Advocate.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through Ms.Kusum Dhalla, APP for the State
along with SI Amit Dutt.
Mr.Sandeep Srivastava, Advocate for
R-2 along with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **25.08.2015**

Petitioners and respondent no.2 in Crl.M.C.No.1883/2015 are seeking quashing of FIR No.647/2014 registered under Sections 406/498A of the IPC on the complaint of respondent no.2.

Respondent no.2 is present. Her presence has been identified by the Investigating Officer. Parties have arrived at a settlement. They have agreed to dissolve their marriage and in fact their marriage already stands dissolved vide a decree of divorce by mutual consent dated 22.5.2015 passed by the Family Judge (Rohini Courts). In terms thereof the petitioner-husband has agreed to pay a sum of Rs.15 lacs in full and final settlement of all claims of respondent no.2 of which a sum of Rs.9.5 lacs has already been paid and a sum of Rs.3 lacs by way of a demand draft has been paid by petitioner to the respondent no.2 who is present in Court in the Court today; this was qua the quashing of the present FIR i.e. FIR No.647/2014 registered under Sections 406/498A of the IPC.

In view of the factual matrix noted above, FIR No.647/2014 registered under Sections 406/498A of the IPC on the complaint of respondent no.2 at police station Adarsh Nagar and all proceedings emanating therefrom are quashed.

It has also been agreed between the parties that the complaint pursuant to which FIR No.712/2014 registered under Section 376/354/354B/354C/34 of the IPC has been registered (on the complaint of respondent no.2) will also be quashed but his Court in view of the judgment of (2012) 10 SCC 3030 Gian Singh Vs. State of Punjab is not inclined to quash this FIR.

This Court has been informed that investigation in FIR No.712/2014 is almost complete. Learned APP for the State under instructions of the Investigating Officer states that in the statement recorded of the victim under Section 164 Cr.P.C. she had made a

categorical statement before the Magistrate that she does not wish to pursue the case and in fact she wants a closure of the case. The Investigating Officer will accordingly take appropriate action in proceedings under Section 173 Cr.P.C. The Investigating Officer will expedite the procedure.

Respondent no.2 is present she affirms this fact and states that she no longer wishes to press any claim against the petitioner with whom she stands legally divorced and she has no grudge or complaint left against him.

At the cost of repetition, the respondent no.2 in her statement recorded under Section 164 Cr.P.C. had stated that she wished a closure of the case. No further orders are called for in these petitions. Petitions are disposed of.

Order dasti under signatures of the Court Master.



INDERMEET KAUR, J

AUGUST 25, 2015

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