

\$~77

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

+ W.P.(CRL) 1595/2015

VINOD KUMAR & ORS.

..... Petitioners

Through Mr. Yudhvir Singh Chauhan, Adv.

versus

STATE & ANR.

..... Respondents

Through Ms. Richa Kapoor, ASC with
Mr. Rohit Kaul, Adv.
Mr. Anand Mishra, Adv. for R2.
SI Ina Kumari PS Seemapuri.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

%

03.08.2015

The petitioners seek quashing of the FIR bearing no.297/2012 (PS Seemapuri) registered under Sections 498A/406/34 of the IPC.

The petitioner no.1 is the husband of respondent no.2 whereas petitioner no.2 to 6 are related to petitioner no.1.

Petitioner no.1 was married to respondent no.2 in accordance with Hindu religious rites sometimes in the year 2011. The marital life of the couple could not continue for long and a case was lodged by respondent no.2 against the petitioners under Sections 498/406/34 of the IPC.

At the Delhi High Court Mediation Centre (SMADHAN), the parties resolved their disputes and it was agreed between them that petitioner no.1 and respondent no.2 would go for divorce by mutual consent. As part of agreement, it was decided that petitioners would give a sum of Rs.5.80 lac to

respondent no.2 towards settlement of all the claims of respondent no.2.

The amount referred above was to be paid in instalments, the last instalment being of Rs.1.50 lac.

Learned counsel for the petitioner has brought a banker's cheque of Rs.1.50 lac in favour of respondent no.2 and seeks the permission of the Court to hand over it to the counsel for the respondent no.2.

Mr. Anand Mishra, learned Advocate who appears for respondent no.2 accepts the banker's cheque in favour of Jyotsana.

Considering the fact that the parties have settled their disputes; the money which was to be paid to respondent no.2 has already paid and the investigation has still not concluded, this Court is inclined to quash the FIR and all the resultant proceedings in the interest of justice.

No useful purpose would be served in allowing the investigation to continue in the aforesaid FIR.

In view of the aforesaid facts the FIR bearing no FIR bearing no.297/2012 (PS Seemapuri) registered under Sections 498A/406/34 of the IPC is quashed.

Petition is disposed of accordingly.

ASHUTOSH KUMAR, J

AUGUST 03, 2015
ab