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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1586/2015 & CRL.M.A.10949/2015**

NITIN & ORS

..... Petitioners

Through: Mr.Pradeep Ahlawat, Advocate
alongwith petitioners in person

versus

STATE & ANR

..... Respondents

Through: Mr. Piyush Singhal, Advocate for
Mr.Ashish Agarwal, Additional Standing Counsel
for State/R-1 with SI Chhattar Singh, PS Subhash
Place

Mr. Anuj Jain, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **03.08.2015**

Crl.M.A. 10949/2015(Exemption)

Allowed, subject to all just exemption.

The application stands disposed of.

W.P.(CRL) 1586/2015

The present petition has been filed for quashing of the First Information Report bearing No.1021/2014 (PS Subhash Place) registered under Sections 498A, 406 and 34 IPC.

During the pendency of this petition, the counsel for the State, on instructions from the SHO concerned, submitted that charge sheet in this case has already been filed under Sections 498A, 406 and 34 IPC.

The petitioner and respondent No.2, both of whom are being represented by the respective counsels, submit that the marriage between them took place sometimes in the year 2013. The matrimonial relations of

the petitioner and respondent No.2 went through rough patches and differences between them could not be sorted out. A complaint was filed by respondent No.2 against the petitioner in the CAW Cell, leading to the registration of the subject FIR. However, during the pendency of the investigation, because of the intervention of the well-wishers and counselling at the Mediation Centre, the spouses decided to bury their differences and start afresh.

By way of an agreement, a total amount of Rs.3,90,000/- was agreed to be paid by the petitioner to respondent No.2. The aforementioned settlement which has arrived at between them on 11.12.2014 was modified by the District & Sessions Judge, Rohini Court. Thereafter a petition under Section 13 (B) (1) under Hindu Marriage Act, 1955 was preferred and the parties have been separated by a decree of divorce.

As part of the settlement, respondent No.2 was to withdraw the maintenance case and the application under Section 12 of the Protection of Women from Domestic Violence Act, 2005. Those applications have already been withdrawn.

Considering the fact that now the dispute between the husband and wife has been finally settled and nothing remains to be adjudicated, no useful purpose would be served in allowing the litigation to continue any further. The FIR No.1021/2014 (P.S. Subhash Place) and the resultant proceedings are, therefore, quashed.

The petition stands allowed.

ASHUTOSH KUMAR, J

AUGUST 03, 2015/ns