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

+ **W.P.(CRL) 80/2016 & CRL.M.A.455/2016**

AVTAR SINGH

..... Petitioner

Through: Mr.Mahavir Sharma &
Mr.Kanwarpreet Singh, Advocates

versus

THE STATE & ANR (GOVT OF NCT OF DELHI) Respondents

Through: Mr.Rahul Mehra, St.Counsel for the
State with Mr.Jamal Akhtar, Adv.
with W/SI Narinder Kaur PS
CWC/Nanak Pura

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **28.04.2016**

1. The present writ petition has been filed by the Petitioners under Article 226 of Constitution of India read with Section 482 Cr.P.C. for quashing of FIR No.138/2014, under Sections 406/34 IPC, P.S. Nanakpura, Delhi.

2. Briefly stating the facts of the present case are that Respondent No.2 got married to the son of Petitioner No.1 and Petitioner No.2 on 06.05.2011 according to Sikh rites and ceremonies and a baby girl was born out of the said wedlock. It is mentioned in the petition that husband of respondent No.2 expired on 29.11.2013. It is further mentioned in the petition that after the expiry of her husband Respondent No.2 started living separately from petitioner Nos.1 and 2 with her parents. After the separation, Respondent No.2 filed a complaint against the petitioners on the basis of which present FIR was registered. It is mentioned in the petition that during the pendency

of above proceedings, the matter was amicably settled in the Court of ACJ/CCJ/ARC(W) and copy of the said settlement dated 30.09.2015 has been placed on record as Annexure-B.

4. Respondent No.2 is present in person and submits that she has settled the matter with the Petitioners in the Court of ACJ/CCJ/ARC(W) and in terms of said settlement, she has already received the settled amount from the Petitioners. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

6. In view of the amicable settlement arrived at between the parties, I am of considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

7. Accordingly, the petition is allowed and FIR No.138/2014, under Sections 406/34 IPC, P.S. Nanakpura, Delhi and consequential proceedings arising therefrom are hereby quashed. However, it is directed that Parties shall abide by the terms and conditions of the full and final settlement arrived at between the parties in the Court of ACJ/CCJ/ARC(W), copy of which is placed on record as Annexure-B.

Order dasti.

PRATIBHA RANI, J.

APRIL 28, 2016

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