

#29

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 18.03.2016

W.P.(CRL) 864/2016

PRADEEP SINGH & ANR

..... Petitioners

Through: Mr. Amit Kumar Pandey, Advocate

versus

STATE OF (NCT OF DELHI) & ANR

..... Respondents

Through: Mr. Rajesh Mahajan, ASC (Criminal)
with Ms. Parul Jamwal, Advocate and
SI Dinesh Kumar, PS- Jyoti Nagar for
R-1
Mr. C.P. Dubey, Advocate for the
Complainant along with Complainant
in person

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. The present is a petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking quashing of FIR No.0947/2015, under Section 406 IPC and Section 3 and 4 of Dowry Prohibition Act, 1961, registered at Police Station- Jyoti Nagar, Delhi and the proceedings arising therefrom.

2. The subject FIR came to be registered on an allegation made by Ms. Ankita Singh, the complainant (respondent No.2 herein) that her marriage had been fixed to be solemnized on 27.11.2015 with Pradeep Singh (petitioner No.1 herein) and all the necessary arrangements had been made therefor; it was alleged that large sums of money had been spent in that behalf to ensure that all the arrangements for the scheduled marriage were lavish, as desired by the family of the groom. As it transpired, the said marriage ceremony was called-off abruptly without any proper explanation or justification.

3. Ankita Singh, the complainant (respondent No.2), who is present in person in Court today and has been identified by the IO in the subject FIR namely, SI Dinesh Kumar, Police Station- Jyoti Nagar, Delhi as well as her counsel, states that subsequent to the registration of the subject FIR, she has entered into a settlement with Pradeep Singh (petitioner No.1) and his father Narender Singh, who is arrayed in the present petition as petitioner No.2, by way of a settlement agreement dated 25.11.2015 and in view of the afore-stated settlement, she is no longer keen to proceed with the subject FIR and the proceedings arising therefrom.

4. In a nutshell, it has been agreed between the parties that on Pradeep Singh (petitioner No.1) paying Ankita Singh, the complainant (respondent No.2) a sum of Rs.80,000/- (Rupees Eighty Thousand Only) and after mutual return of the articles exchanged in anticipation of the proposed marriage, no further action shall be initiated by either of the parties to the said agreement.

5. In the present case, it is observed that the offences in the subject FIR do not fall within the exempted categories of serious/heinous offences which ought not to be quashed on the ground of an amicable resolution of the disputes. [Ref. *Gian Singh vs. State of Punjab and Anr.* reported as (2012) 10 SCC 303]. The offences alleged to have been committed in the subject FIR are private in nature and do not have a serious impact on society.

6. In view of the foregoing, since the dispute which resulted in the registration of the subject FIR has already been resolved amicably by and between the parties without any undue influence, pressure or coercion, no useful purpose will be served by proceeding with the subject FIR and the proceedings arising therefrom.

7. Consequently, FIR No.0947/2015, under Section 406 IPC and Section 3 and 4 of Dowry Prohibition Act, 1961, registered at Police Station- Jyoti Nagar, Delhi and the proceedings arising therefrom are hereby set aside and

quashed *qua* both the petitioners subject to their depositing a sum of Rs.10,000/- (Rupees Ten Thousand Only) in aggregate with the Victims' Compensation Fund, Government of NCT of Delhi within a period of two weeks from today. The receipt of the said deposit shall be furnished to the concerned IO.

8. The writ petition is allowed and disposed of accordingly.

MARCH 18, 2016
dn

SIDDHARTH MRIDUL, J

