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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 1838/2016
RAMESH & ORS

Through Mr Vijay Kasana, Adv. alongwith petitioners in person Petitioner
versus
STATE & ANR

Through Mr Mukesh Kumar, Additional Public Prosecutor for the State alongwith Sub Inspector Vishvendra Dhaka Police Station Seema Puri, Delhi Respondent
Mr Mohit, Adv. for R2 alongwith R2 in person

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER
13.05.2016

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Crl. MA 7838/2016 (exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

Crl. MC 1838/2016 & Crl. MA 7839/2016 (stay)

This is a petition u/s 482 Cr.P.C. moved by the petitioners for quashing of FIR No.1279/2014 registered at Police Station Seemapuri, Delhi under Ss. 342/324/34 IPC and consequent proceedings emanating therefrom on the ground that the parties have compromised the matter.

It is submitted by counsel for the petitioners that marriage between Sanjay (petitioner no.3) and complainant / respondent no.2 was solemnized on 26.06.2005. Three children were born out of wedlock. After few years of marriage disputes had arisen between the parties and several litigations were initiated by the parties against each other. The respondent no.2 had filed a complaint under S. 12 of PWDV Act. During pendency of trial, the matter was referred to Mediation Centre, Karkardooam Courts, Delhi where all the disputes have been amicably settled between the parties and they have agreed to withdraw all pending litigations / cases against each other and a formal settlement agreement was executed between the parties before the mediation centre on 12.10.2015, copy of which has been placed on record at pgs. 55 – 64, pursuant thereto, parties have started living together. It is, therefore, prayed that the instant FIR be quashed.

The respondent No.2/complainant, who is present in person (duly identified by the Investigating Officer of the case as well as her counsel) submits that she has been living with her

husband happily for the last one year and has been receiving Rs.4500/- per month from November, 2015 onwards. She has amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort and in view of the settlement arrived at between the parties, she does not want any action against the petitioners and has no objection to quashing of the instant FIR.

Mr Panna Lal Sharma, Additional Public Prosecutor for the State submits that in view of the settlement arrived at between the parties, he has no objection to quashing of FIR.

Keeping in view the facts that basically it is a matrimonial dispute which the parties have agreed to settle, there are three minor children, parties have started living together for the last oen year, it will be in larger interest of parties and minor children that this matter is given a quietus as continuance of proceedings arising out of the FIR in question would be an exercise in futility and wastage of precious time of the Court. However, parties shall be bound by the terms of compromise / settlement.

Accordingly, the petition is allowed and the FIR No.1279/2014 registered at Police Station Seemapuri, Delhi under Ss. 342/324/34 IPC and consequent proceedings emanating therefrom are hereby quashed.

The petition stands disposed of accordingly.

A copy of this order be given *dasti* to counsel for the petitioners.

SUNITA GUPTA, J

MAY 13, 2016/*rd*