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

+ W.P.(CRL) 2991/2016 & CrI.M.A.16015/2016

AMIT SHARMA & ORS.

..... Petitioners

Through : Mr. Kartikeya Singh and Mr. Amit
Chaudhary, Advs.

versus

STATE & ANR.

..... Respondents

Through : Mr. Ashish Aggarwal, ASC with PSI
Aarti Yadava PS Najafgarh.

Mr. Nepal Singh, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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14.12.2016

Matter has been taken up today as 12th December, 2016 was declared holiday on account of Milad-Un-Nabi (birthday of Prophet Mohammad).

Petitioner nos.2 & 3 are the relatives of petitioner no.1. Petitioner no.1 and respondent no.3 were married on 29th November, 2009 as per Hindu Rites and Ceremonies. Due to temperamental differences, they could not live together. On the complaint of respondent no.2, present FIR No.929/2015 under Sections 498A/406/34 IPC was registered at police station Najafgarh. Petitioner no.1 and respondent no.2 have settled their disputes before the Mediation Centre, Dwarka Courts, New Delhi on the

terms and conditions as stipulated in the proceedings of learned Mediator dated 8th February, 2016 (Annexure B) at page 35. Marriage between petitioner no.1 and respondent no.2 has already been dissolved by decree of divorce by mutual consent dated 1st September, 2016 passed by Family Courts, Dwarka, New Delhi. As per settlement, ₹6,00,000/- was to be deposited as FDR in the name of minor child Avni Sharma till she attains the age of majority. Respondent no.2 is present in Court and submits that amount has been kept in the post office for five years. Learned counsel for petitioners has contended that petitioners have no objection in keeping ₹6,00,000/- in the post office. In terms of settlement, remaining amount of ₹3,00,000/- has been paid by the petitioners to respondent no.2 in Court vide a demand draft, a photocopy whereof has been placed on record. She further submits that she is not willing to pursue the FIR any further in view of settlement arrived at between her and petitioner no.1 before the mediation centre terms whereof have been complied with.

Keeping in mind the facts that petitioner no.1 and respondent no.2 have settled their disputes amicably before the mediation centre, inasmuch as, marriage between them has already been dissolved by decree of divorce by mutual consent and respondent no.2 does not want to pursue the FIR any

further, in the interest of justice, FIR No.929/2015 under Sections 498A/406/34 IPC registered at police station Najafgarh, is quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

DECEMBER 14, 2016/dk