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

+ CRL.M.C. 4500/2016

SANJAY MEHLA & ORS

..... Petitioners

Through: Ms.Sunita Joshi, Adv.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
SI Pancham Kumar, PS-Saket
Ms.Savita Nawariya, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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02.12.2016

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.221/2009, under Sections 498A/406/34 IPC, registered at Police Station-Saket, Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1 is the husband of the complainant and due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and their marriage has also been dissolved by mutual consent by a decree of divorce dated 26th May, 2016 granted by the Principal Judge, Family Courts (South), Saket, New Delhi. Learned counsel for the petitioners further submits that the petitioners have already handed over a

demand draft No.208453 dated 10.10.2016 for a sum of Rs.1,00,000/- (rupees One Lakh only) drawn on Andhra Bank to the complainant. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners and the respondent No.2 want to lead their independent and peaceful life in the near future and since all the disputes have been settled between them, the FIR in question and all the proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by her counsel and the Investigating Officer, SI Pancham Kumar, P.S.Saket, New Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and she has no claim or grievance left against the petitioners. She further submits that the settlement/compromise dated 9th July, 2015 has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce and she has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties vide settlement deed dated 9th July, 2015 and also the marriage between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 26th May, 2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.221/2009, under Sections 498A/406/34 IPC, registered at Police Station-Saket, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is disposed of accordingly. All pending application(s) (if any) also stand disposed of.

Copy of the order be given *dasti* under the signatures of the Court Master.

I.S.MEHTA, J

DECEMBER 02, 2016/radhika