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

+ CRL.M.C. 4638/2016

PRASHANT ARORA & ORS

..... Petitioners

Through: Mr.Karanjeet Kumar, Advocate with
the petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
with SI Vinod Kumar, P.S. Mehrauli,
New Delhi.
Counsel for R2 with R2/complainant
in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **15.12.2016**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.471/2008, under Sections 498A/406/34 IPC, registered at Police Station Mehrauli, New Delhi and all the proceedings emanating therefrom.

Counsel for the petitioners has submitted that petitioner No.1 Prashant Arora was the husband, petitioner No.2, late Shri Laxmi Chand was the father-in-law, petitioner No.3 Babita and petitioner No.4 Lalita were the sisters-in-law of the complainant/respondent No.2 and petitioner No.5 was the brother-in-law of the respondent No.2/complainant. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 was solemnized on 25.10.2007 according to Hindu rites and ceremonies at Chhatarpur, New Delhi and out of the said wedlock, one son namely Tushar Arora was born on 10.11.2008. Counsel further submits that

due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further, resultantly, an FIR No.471/2008, under Sections 498A/406/34 IPC was got registered by

the respondent No.2 at Mehrauli, New Delhi. Subsequently, after the registration of the FIR, with the help of near relatives and close friends, they have amicably settled all their disputes and differences vide settlement deed dated 20.01.2010 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 06.12.2014 granted by the Principal Judge, Family Courts, Saket, New Delhi. 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 petitioner. He further submits that the balance amount of Rs.1,00,000/- towards the settlement has already been given to the respondent No.2/complainant vide demand draft bearing No.502400 drawn on ICICI in favour of respondent No.2, Anjali. He further submits that the petitioners and the respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between them, the FIR in question, which is coming as hurdle in their way and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Anjali is present in Court today and has been identified by her counsel and the Investigating Officer, SI Vinod Kumar, P.S. Mehrauli, 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 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 dated 06.12.2014 and she has no objection if the FIR in question is quashed.

Statement of the petitioner No.1, Prashant Arora has also been recorded separately today in Court wherein he has undertaken to pay an additional sum of Rs.5,000/- to his minor son, Tushar Arora through the respondent No.2/complainant every year in the first of January of each calendar year. He has also undertaken to abide by the terms of the settlement and the statement recorded today in Court.

Keeping in view the facts and circumstances of the case and the fact that the matter has been amicably settled between the parties 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 6th December, 2014 and that the petitioner No.1 has further undertaken to pay an additional sum of Rs.5,000/- apart from the settled amount to his minor son Tushar Arora every year till he attains the age of 21 years through the respondent No.2/complainant, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.471/2008, under Sections 498A/406/34 IPC, registered at Police Station Mehrauli, New Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 15, 2016

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