

\$~54

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 3606/2016
AMARDEEP SINGH & ORS. Petitioners

Through: Mr. Avtar Singh, Adv.

versus

STATE & ANR. Respondents

Through: Mr. Jasbir Kaur and Mr. Yash Batra,
Adv. for R-2 along with R-2 in
person.

Mr. Avi Singh, ASC for State with
Mr. Ananya Moha, Adv. along with
SI Umesh Yadav, P.S. Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

19.12.2016

On the complaint of respondent no.2, present FIR 486/2016 under Sections 498-A/406/34 IPC was registered against petitioner no.1 and his relatives, i.e., petitioner nos. 2 and 3 at police station Uttam Nagar.

It is submitted that marriage between the petitioner no.1 and respondent no.2 has been dissolved by a decree of divorce dated 24th November, 2016 by the Family Court, South-West District, Dwarka. Respondent no. 2 is present in Court and admits having settled the matter with the petitioners of her own free will and without any undue pressure, force or coercion. She submits that out of the total settled amount she has already received ₹13 lacs. Learned counsel for the petitioners submits that

balance settled amount, i.e, ₹5 lacs, which are lying deposited in the trial court in the proceedings under the Domestic Violence Act, be ordered to be released in favour of the respondent no.2. Respondent no. 2 submits that she has no objection in case the FIR is quashed, subject to release of said ₹5 lacs to her.

Keeping in mind that parties have settled their disputes, inasmuch as, their marriage has been dissolved by a decree of divorce, in my view, no fruitful purpose would be served to keep them entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR 486/2016 under Sections 498-A/406/34 IPC registered at police station Uttam Nagar and the consequent proceeding emanating therefrom are quashed. Trial court is directed to release the amount to the respondent no.2 forthwith.

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

Dasti.

A.K. PATHAK, J.

DECEMBER 19, 2016

ga