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

+ CRL.M.C. 4793/2016

ROHIT MOHAN & ORS

..... Petitioners

Through: Ms.Madhu Tewatia and Mr.Adhirath
Singh, Advocates with the petitioner
No.1 in person.

versus

STATE & ANR

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
with SI Praveen Kumar, P.S.
Mandawali, Delhi.
Mr.S.Chatterjee, Advocate for R2
with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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21.12.2016

Crl.M.A.No.19953/2016 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4793/2016 and Crl.M.A.No.19952/2016 (stay)

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners seeking quashing of FIR No.263/2012, under Sections 498-A/406/506/34 IPC, registered at Police Station Mandawli Fazad Pur, Delhi and all subsequent proceedings arising therefrom.

It is submitted by learned counsel for the petitioners that the petitioner No.1 Rohit Mohan is the husband, the petitioner No.2 Jagdish Mohan is the father-in-law and the petitioner No.3 Violet Mohan is the mother –in-law of the respondent No.2/complainant Ruhi Sharma. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 04.12.2008 according to Hindu rites and ceremonies at Delhi. Counsel further submits that after the marriage, due to temperamental differences arisen between the parties, an FIR No.263/2012, under Sections 498-A/406/506/34 IPC was got registered at Police Station Mandawli Fazad by the respondent No.2/complainant. Counsel further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties vide Memorandum of Understanding dated 31.05.2016 before the Principal Judge, Family Court, Vishwas Nagar, Delhi. Counsel further submits that the marriage between the petitioner No.,1 and the respondent No.2 has already been dissolved vide judgment and decree dated 15.12.2016 passed by the Principal Judge, Family Court, District East, Vishwas Nagar, Delhi. Learned counsel further submits that as per the terms of the said MoU, all the amounts have been paid to the respondent No.2/complainant and nothing is due and payable to her. Counsel further submits that since the matter has been amicably settled and the marriage has already been dissolved between the parties vide judgment and decree dated 15.12.2016 and nothing remains to be adjudicated between them, the present FIR, which is coming as a hurdle in the peaceful life of the petitioners, may be quashed.

The respondent No.2/complainant is present in person and has been

identified by the Investigating Officer SI Praveen Kumar, P.S. Mandawali, Delhi and her counsel and admits that she has amicably resolved all disputes with the petitioners voluntarily without there being any threat, coercion or pressure of any sort and in terms of the said settlement she has received all amounts and nothing is due and payable to her by the petitioners. She further submits that her marriage with the petitioner No.1 has already been dissolved by a decree of divorce dated 15.12.2016 and nothing is due and payable to her by the petitioners and has no objection if the FIR in question is quashed.

Keeping in view the facts and circumstances, since the matter has been amicably settled between the parties, the marriage between the petitioner No.1 and the respondent No.2/complainant has already been dissolved by a decree of divorce dated 15.12.2016 and that nothing remains to be adjudicated between the parties, to meet the ends of justice, I deem it appropriate to quash the FIR in question. Consequently, to meet the ends of justice and have peace in the life of the parties, FIR No.263/2012, under Sections 498-A/406/506/34 IPC, registered at Police Station Mandawali Fazad Pur, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The petition stands disposed of accordingly.

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

I.S.MEHTA, J

DECEMBER 21, 2016

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