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

+ CRL.M.C. 140/2017

PAWAN KUMAR @ KUNDAN KUMAR & ORS

..... Petitioners

Through: Mr.Gaurav Chaudhary, Advocate
with the petitioners in person.

versus

STATE & ORS

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
IO SI Ram Phal Singh, P.S. Bharat
Nagar, Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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18.01.2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.531/2014, under Sections 498-A/406/34 IPC, registered at Police Station Bharat Nagar, Delhi and all subsequent proceedings arising therefrom.

Learned counsel for the petitioners submits that the present petition has been filed on behalf of the petitioners as well as the respondent No.2 on the basis of amicable settlement arrived at between the parties. Counsel for the petitioners further submits that the petitioner No.1 Pawan Kumar @ Kundan Kumar was the husband, petitioner No.2 Shri Dinesh Sharma was

the father-in-law and petitioner No.3 Kumkum was the mother-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 20.11.2011 according to Hindu rites and ceremonies and out of the said wedlock of the parties, one son, namely, Ansh was born on 19.09.2012. Counsel further submits that due to misunderstanding arisen between the parties, the respondent No.2 got registered an FIR No.531/2014, under Sections 498-A/406/34 IPC, at Police Station Bharat Nagar, Delhi. Counsel further submits that after the registration of the FIR, the near relatives and friends intervened and the matter has been amicably settled/compromised between the parties vide settlement deed dated 05.05.2016. Counsel further submits that as per the terms of the said settlement, the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by judgment and decree dated 07.12.2016 passed by the Judge, Family Court, North-West, Rohini, Delhi. Counsel further submits that as per the said settlement, all due amounts have been paid to the respondent No.2/complainant towards full and final settlement of all her claims and nothing remains to be paid to her. Counsel further submits that since the matter has been amicably resolved between the parties and nothing further remains to be adjudicated, however, the aforesaid FIR is coming as a hurdle in the peaceful life of both the parties and prays, the said FIR may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the IO SI Ram Phal Singh, P.S. Bharat Nagar, Delhi. The complainant, present in person, admits the factum of amicable settlement with the petitioners and further admits that in terms of the settlement she has

received all due amounts from the petitioners and nothing remains to be paid to her. She further submits that the settlement arrived at between them is voluntary and without any force, pressure or coercion. Complainant further admits that her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 07.12.2016 and further submits that she has no objection if the aforesaid FIR is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled/compromised between the parties vide settlement deed dated 05.05.2016 and the marriage between the parties has already been dissolved vide judgment and decree dated 07.12.2016 and nothing further remains to be adjudicated between the parties, I deem it appropriate to quash the FIR in question. Consequently, to meet the ends of justice, FIR No.531/2014, under Sections 498-A/406/34 IPC, registered at Police Station Bharat Nagar, Delhi and all subsequent proceedings arising therefrom are hereby quashed. Parties are bound by the terms of the settlement.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

JANUARY 18, 2017
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