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

+ **CRL.M.C. 251/2017**

GUNWANT SINGH KHURANA & ANR. Petitioners

Through Mr.Himanshu Bajaj, Adv. with
Ms.Saakshi Aggarwal, Advocate with
petitioners in person

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through Mr.Izhar Ahmad, APP for State
S.I. Sadvinder, P.S. Kalkaji
Mr.Puneet Singh Dhir, Adv. for R-2
with R-2 in person

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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20.01.2017

Crl. M.A. 1098/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 251/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.624/2015, under Sections 498A/406/34 IPC, registered at Police Station Kalkaji, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.2 and respondent No.2 got married on 14.02.1999 and out of the said wedlock two children namely Baby Rehat and Baby Kaynaat were born on 01.02.2000 and 23.09.2004 respectively. He further submits that due to temperamental differences and misunderstanding arisen between them, the

marital relations between them could not proceed further, which resulted in registration of the aforesaid FIR. He further submits that consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences and the same has been reduced into writing vide Memorandum of Settlement dated 20.01.2016. He also submits that their marriage has also been dissolved by mutual consent by a decree of divorce dated 22.08.2016 granted by the Principal Judge, Family Courts, South-East, 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 petitioners. He further submits that the petitioner No.2 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 and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer, SI Sadvinder, P.S. Kalkaji. The complainant also admits 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 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 and also the marriage between the petitioner No.2 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 22.08.2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No. 624/2015, under Sections 498A/406/34 IPC,

registered at Police Station Kalkaji, Delhi and all proceedings arising of the same are hereby quashed.

Parties to remain bound by the terms of settlement dated 20.01.2016.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

JANUARY 20, 2017/km