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

+ CRL.M.C. 249/2017

GUNWANT SINGH KHURANA & ANR. Petitioners

Through: Mr.Himanshu Bajaj, Adv. with
Ms.Saakshi Agrawal, Adv.

versus

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

Through: Ms.Kusum Dhalla, APP for the State
Mr.Puneet S. Dhri, Adv. for R-2 with
R-2 in person
S.I. Simarjeet Kaur, P.S. Greater
Kailash

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **19.05.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.284/2015, under Sections 377/354/354A/354B/34 IPC, registered at Police Station Greater Kailash and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the present FIR has arisen from a matrimonial dispute. He further submits that the petitioner No.2 got married with the respondent No.2 on 14.02.1999 according to Hindu rites and ceremonies 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 subsequently misunderstanding has arisen between the parties, which resulted into registration of the said FIR.

He further submits that after the registration of the said FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing vide Memorandum of Settlement dated 20.01.2016. He further submits that the marriage between the parties has already 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 nothing remains to be adjudicated upon further. He also 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, S.I. Simarjeet Kaur. The complainant also admits that the matter has been amicably settled with 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 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, it is in their interest to lead their independent and peaceful life in future. Consequently, the FIR

No.284/2015, under Sections 377/354/354A/354B/34 IPC, registered at Police Station Greater Kailash and all proceedings emanating therefrom are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 19, 2017/km