

\$~37

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

+ CRL.M.C. 257/2017

VIPIN SHARMA & ORS

..... Petitioners

Through: Mr.Harish Kumar, Advocate with the
petitioners in person.

versus

GOVT OF NCT DELHI & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Virendra, P.S. Vijay Vihar, Delhi.
Mr.Jayant Vashist, Advocate for R2
with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **20.01.2017**

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for seeking quashing of FIR No.82/2013, under Sections 498A/406/34 IPC, registered at Police Station Vijay Vihar, 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 was the husband, petitioner No.2 was the father-in-law, petitioner No.3 was the mother-in-law and petitioner No.4 was the brother-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 19.07.2010 as per Hindu rights and customs. Counsel further submits that due to misunderstanding arisen between the parties, the respondent No.2 got registered an FIR No.82/2013, under Sections 498-A/406/34 IPC at Police Station Vijay Vihar, 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 and the same has been reduced into writing before the Mediation Centre, Rohini Courts, Delhi on 23.03.2016. Counsel further submits that the petitioners have complied with the terms of the said settlement and the last instalment of Rs.2 lakhs has already been handed over to the respondent No.2/complainant vide demand draft bearing No.741864 dated 13.12.2016 . Subsequently, as per the terms of the said settlement, the marriage between the petitioner and respondent No.2 has already been dissolved vide judgment and decree dated 25.11.2016 passed by the Principal Judge, Family Court, Rohini Courts, Delhi. Counsel, however, further submits that the aforesaid FIR is coming as a hurdle in the peaceful life of both the parties and prays that since nothing further remains to be adjudicated, the said FIR may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the IO SI Virendra, P.S. Vijay Vihar, Delhi and her counsel. The complainant, present in person, admits the factum of amicable settlement with the petitioners which is voluntary and without any force, pressure or coercion and the same has been reduced into writing before the Mediation Centre, Rohini Courts, Delhi on 23.03.2016. She further admits that her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 25.11.2016 passed by the Principal Judge,

Family Court, Rohini Courts, Delhi and further submits that nothing further remains to be adjudicated between them. She 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 which has been reduced into writing before the Mediation Centre, Rohini Courts, Delhi on 23.03.2016 and the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 25.11.2016 passed by the Principal Judge, Family Court, Rohini, Delhi and nothing further remains to be adjudicated between the parties, I deem it appropriate to quash the FIR in question.

Consequently, FIR No.82/2013, under Sections 498-A/406/34 IPC, registered at Police Station Vijay Vihar, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

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 20, 2017

'dc'