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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CRL.M.C. 847/2017, Crl. M.As. 3576-3577/2017  
HEMANT KUMAR & Ors. .... Petitioner  
Through: Mr.Rakesh Kakar, Adv.

versus

STATE (GOVT OF NCT DELHI) & ORS ..... Respondents  
Through: Mr.Raghuvinder Varma, APP for  
State  
S.I. Jagdeep, P.S. Swaroop Nagar  
Ms.Sangita Gupta, Adv. for R-2

**CORAM:**  
**HON'BLE MR. JUSTICE I.S.MEHTA**

**ORDER**  
% **17.05.2017**

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.416/2014, under Sections 498-A/406/34 IPC, registered at P.S. Swaroop Nagar and all the subsequent proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 12.05.2011 and out of the said wedlock one female child namely Ishika was born on 10.08.2012. He further submits that the said child is right now in custody of respondent No.2. Counsel further submits that subsequently misunderstanding between the parties has arisen, which resulted into the registration of aforesaid FIR. He 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 Settlement Deed dated 13.05.2016 and that their marriage has been declared as null and void by a decree of nullity dated 09.11.2016 granted by the Principal Judge, Family Court, Saket, Delhi. He further submits that all disputes have been amicably settled between the parties and 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.1 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. Jagdeep. The complainant submits that the matter has been amicably settled with the petitioners and she has no claim or grievance left against the petitioners. She further submits that she is in custody of the minor child. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has been declared as null and void by a decree of nullity and that 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.1 and respondent No.2 has already been declared as null and void, it is in their interest to lead their independent and peaceful life in future. Consequently, the FIR No.416/2014, under Sections 498-A/406/34 IPC, registered at P.S. Swaroop Nagar and all proceedings arising out of the same are hereby quashed.

The present petition and the accompanying applications are disposed of accordingly.

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

**I.S.MEHTA, J**

**MAY 17, 2017/km**