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

+ W.P.(CRL) 369/2017

ROHIT KAUNDAL & ORS. Petitioners

Through: Mr. Virendra Rana, Adv.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr. Rajesh Aggarwal, ASC for the
State with ASI Roshni, P.S. CAW
Cell, Nanakpura.

Mr. J.S. Kalra, Adv. for R-2 along
with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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03.02.2017

Present FIR No. 119/2014 under Sections 498-A/406/34 IPC was registered against the petitioner no.1 and his family members, i.e., petitioner nos. 2 to 5 at police station CAW Cell, Delhi, on the complaint of respondent no.2.

It is submitted that petitioner no.1 and respondent no.2 have settled their disputes amicably before the Mediation Centre, Dwarka on 14th November, 2014, Annexure P-2. The marriage between the petitioner no.1 and respondent no.2 has already been dissolved by a decree of divorce by mutual consent on 23rd January, 2016 by the Family Court, Tis Hazari, Delhi.

Respondent no.2 is present in Court and has been identified by ASI Roshni of CAW Cell, Nanakpura. Respondent no.2 admits having settled the matter. Petitioner no.1 has paid ₹7.70 lacs to the respondent no.2 today in Court by way of a demand draft bearing no. 338040 dated 10th January, 2017 drawn on UCO Bank. Respondent no.2 submits that with this amount entire settled amount stands paid by the petitioner no.1. She further submits that she has no objection in case the FIR is quashed.

Keeping in mind that petitioner no. 1 and respondent no.2 have decided to part their ways and have, in fact, obtained decree of divorce by mutual consent, in my view, no fruitful purpose would be served in keeping them entangled in the present criminal proceedings. Accordingly, FIR No. 119/2014 under Sections 498-A/406/34 IPC registered at CAW Cell and the consequent proceedings emanating therefrom are quashed.

Writ petition is disposed of. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

FEBRUARY 03, 2017

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