

\$~26

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

+ CRL.M.C. 515/2017

DHARMENDER @ VISHAL & ORS. Petitioners

Through: Ms.Sukanya Sharma, Adv.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.G.M. Farooqui, APP for State
Mr.Shyam Kumar, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **08.02.2017**

Crl. M.A. 2247/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 515/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.185/2012, under Sections 498A/406/34 IPC, registered at Police Station Jahangir Puri, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 got married with respondent No.2 on 16.05.2010 according to Hindu rites and ceremonies. Counsel further submits that due to temperamental differences arisen between the parties, the complainant/respondent No.2 got registered the aforesaid FIR. She also 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. She further submits that the marriage between the parties has already been dissolved by mutual consent by a decree of divorce dated 27.09.2016 granted by the Principal Judge, Family Courts, Rohini, New Delhi. She further submits that as per the terms of settlement, the last amount due to be paid to the respondent No.2 is Rs.1,00,000/- and the same has been paid today by way of Bankers Cheque bearing No.232297, drawn on State Bank of India, dated 13.12.2016 and that nothing remains to be adjudicated upon further. She also submits that the FIR in question is coming as hurdle in the way of the present petitioners. She 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, SI Jasbir. The complainant also admits that the matter has been amicably settled with the petitioners. She further submits that as per the terms of settlement she has received last instalment of Rs.1,00,000/-by way of aforementioned Bankers Cheque. 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.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 27.09.2016, it is in

their interest to lead their independent and peaceful life in future, consequently, the FIR No. 185/2012, under Sections 498A/406/34 IPC, registered at Police Station Jahangir Puri, Delhi 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

FEBRUARY 08, 2017/km