

\$~25

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 514/2017
AMIK MARWAHA & ORS.

..... Petitioners

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

versus

STATE OF DELHI & ANR.

..... Respondents

Through: Mr.Raghwinder Varma, APP for State
with Inspector Narinder Kaur, P.S
CWC, Nanakpura, New Delhi.
Mr.R.P.Tiwari, Advocate for R2 with
R-2/complainant in person.

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

ORDER
08.02.2017

%

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.9/2012, under Sections 498-A/406/34 IPC, registered at Police Station Crime (Women) Cell, Nanakpura, New Delhi and proceedings arising therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Amik Marwaha was the husband and the petitioner No.2 Indu was the mother-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 08.12.2010 at Delhi as per the Hindu rites and ceremonies. Counsel for the petitioners further submitted that after the marriage disputes and differences arose between the parties, resulting into registration of an

FIR No.9/2012, under Sections 498-A/406/34 IPC, at Police Station Crime (Women) Cell, Nanakpura, New Delhi. Counsel further submits that after the registration of the FIR, the near relatives and friends intervened and the dispute has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Karkardooma Courts, Delhi on 06.04.2016 and the same has been duly acted upon by the parties. Counsel for the petitioners further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by a decree of divorce by mutual consent dated 15.11.2016 passed by the concerned Principal Judge, Family Courts, Patiala House Courts, New Delhi and nothing remains to be adjudicated further between the parties and further submits that the present FIR is coming as a hurdle in the peaceful life of the petitioners and prays that the aforesaid FIR may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer Inspector Narinder Kaur, P.S. CAW Cell, New Delhi and is also represented by her counsel, Mr.R.P.Tiwari, Advocate. The respondent No.2/complainant admits that the dispute has been amicably settled between the parties and the terms of the same have been reduced into writing before the Mediation Centre, Karkardooma Courts, Delhi and duly acted upon by them. She further admits that she has received the last instalment of Rs.4 lacs from the petitioners by way of demand draft bearing No.162430 dated 19.11.2016 drawn on Canara Bank and nothing remains to be due and payable to her. Respondent No.2/complainant present in Court further admits that the said settlement arrived at between them is voluntary and without any force, pressure or coercion. She further admits that her marriage with the petitioner

No.1 has already been dissolved vide a decree of divorce dated 15.11.2016 and has no objection if the aforesaid FIR is quashed.

Looking into the above facts and circumstances since the difference and disputes between the parties have been sorted out amicably and the same have been reduced into writing before the Mediation Centre, Karkardooma Courts, Delhi on 06.04.2016 and the same has been duly acted upon by them and the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by a decree of divorce by mutual consent dated 15.11.2016 passed by the concerned Principal Judge, Family Courts, Patiala House Courts, New Delhi and nothing remains to be adjudicated further between them, to have peace in the lives of both the parties, I deem it appropriate to quash the aforesaid FIR and all its subsequent proceedings arising therefrom.

Consequently, FIR No.9/2012, under Sections 498-A/406/34 IPC, registered at Police Station Crime (Women) Cell, Nanakpura, New Delhi and 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

FEBRUARY 08, 2017

‘dc’