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

+ CRL.M.C. 2593/2017

RAM PAL SINGH

..... Petitioner

Through: Mr.Amitesh Gaurav, Advocate with
the petitioner in person.

versus

STATE (GOVT OF NCT DELHI) & ANR Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Samrat Khatiyani, P.S. Harsh
Vihar, Delhi.

Mr.Rakesh Munjal, Sr. Advocate with
Mr.Rajendra Kr. Singh and Mohd.
Arif, Advocates for Respondent No. 2
with Respondent No. 2/complainant
in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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12.07.2017

CRL.M.A.10791/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.A.10792/2017 (delay in re-filing)

This is an application under Section 482 Cr. P.C. filed on behalf of
the petitioner for condonation of delay in re-filing the present petition.

For the reasons stated in the application, the delay in re-filing the
petition is condoned.

Application stands disposed of.

CRL.M.C. 2593/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner for quashing of FIR No.402/2014, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at Police Station Harsh Vihar, Delhi and all proceedings arising therefrom.

Learned counsel for the petitioner has submitted that the petitioner got married with the respondent No.2 Smt. Anita on 16.06.2010 as per Hindu rites and customs. Counsel further submits that after the marriage, a misunderstanding had arisen between the parties, which resulted into registration of the aforesaid FIR against the petitioner. Counsel further submits that after the registration of the FIR, the near relatives and the friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing vide settlement deed dated 02.01.2016 and the terms of the said settlement have been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 and the last instalment amounting to Rs.1,50,000/- is being paid to her by the petitioner vide demand draft bearing No.067207 dated 09.06.2017 drawn in favour of the respondent No.2 Anita. Counsel further submits that the marriage between the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 10.11.2016 passed by the Principal Judge, Family Courts, Karkardooma, Shahdara, Delhi and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the parties, and prays that the FIR and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Smt. Kanchan Lata is present in Court in person and has been identified by the Investigating Officer SI Samrat Khatiyani, P.S. Harsh Vihar, Delhi and also represented through counsel. The respondent No.2 present in person admits the factum of amicable settlement with the petitioner and reducing down of the same in writing vide settlement deed dated 02.01.2016. She further admits that her marriage with the petitioner has already been dissolved vide judgment and decree dated 10.11.2016 passed by the Principal Judge, Family Courts, Karkardooma, Shahdara, Delhi and nothing further remains to be adjudicated between the parties. She further submits that she has received all due amounts from the petitioner and she is left with no claim or grievance against the petitioner and submits that she has no objection if the FIR in question is quashed.

Looking into the aforesaid facts and circumstances, since the matter has been amicably settled between the parties and the same has been reduced into writing vide settlement deed dated 02.01.2016 and the terms of the said settlement have been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 and the last instalment amounting to Rs.1,50,000/- is being paid to her by the petitioner vide demand draft bearing No.067207 dated 09.06.2017 drawn in favour of the respondent No.2 Anita and the marriage between the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 10.11.2016 passed by the Principal Judge, Family Courts, Karkardooma, Shahdara, Delhi and nothing further remains to be adjudicated between the parties, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all subsequent

proceedings arising from the same.

Consequently, FIR No.402/2014, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at Police Station Harsh Vihar, Delhi and all 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

JULY 12, 2017
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