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

+ CRL.M.C. 511/2017

MAYANK GUPTA & ORS

..... Petitioners

Through: Mr.Sanjay Rathi, Advocate with the
petitioners in person.

versus

STATE (NCT OF DELHI) & ORS

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
SI Jhabbu Ram, PS-Kirti Nagar,
Delhi.

Mr.Rahul Mangla and Mr.Anup
Kumar Upadhyay, Advocates for R2
with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **07.02.2017**

CRL.M.A.2213/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 511/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of the FIR bearing No.362/2015, under Sections 323/341/354/506/509/34 IPC, registered at Police Station Kirti Nagar, Delhi and subsequent proceedings arising therefrom.

Counsel for the petitioners submits that instant petition is arising out of the matrimonial dispute. Counsel for the petitioner further submits that the petitioner No.1 Mayank K. Gupta got married with Ms.Preeti, daughter of the respondent No.2 Ms.Kanchan Aggarwal on 19.06.2014 according to Hindu rites and ceremonies. Counsel further submits that out of the said

wedlock, there is no issue. Counsel further submits that Ms.Preeti is not a party in the present petition as the FIR has been got registered by the respondent No.2 i.e. mother of Ms.Preeti. Counsel for the petitioners further submits that after the marriage, misunderstanding has arisen between the two families resulting into the registration of FIR bearing No.362/2015, under Sections 323/341/354/506/509/34 IPC, at Police Station Kirti Nagar, Delhi. Counsel further submits that after the registration of the FIR, the dispute between the two families has been sorted out amicably and the same has been reduced into writing vide settlement deed dated 25.08.2015 before the Mediation Centre, Tis Hazari Courts, Delhi. Counsel further submits that the said settlement has been duly agreed and acted upon by the parties and all the amounts as per the MoU dated 25.08.2015 have been paid to Ms.Preeti, daughter of the respondent No.2. Counsel for the petitioners further submits that the marriage between the petitioner No.1 Mayank Gupta and Ms.Preeti, daughter of respondent No.2 has already been dissolved vide decree of divorce dated 07.02.2017 passed by the concerned Family Court. Counsel for the petitioners further submits that the matter has been amicably settled between the parties and nothing remains to be adjudicated or to be paid to Ms.Preeti, daughter of respondent No.2, but the aforesaid FIR is coming as a hurdle in the peaceful life of the present petitioners and prays that the aforesaid FIR may be quashed.

The respondent No.2/complainant is present in Court and has been identified by the IO, SI Jhabbu Ram, P.S. Kirti Nagar, Delhi. Mr.Rahul Mangla, Advocate is also present for and on behalf of Ms.Preeti and the respondent No.2. Counsel for the respondent No.2 and Ms.Preeti on instructions admits receiving of an amount of Rs.8,25,000/- as per the terms

of the settlement dated 25.08.2015 vide demand drafts, copies whereof have been placed on record at pages 83 to 85 of the paper book. The same is also confirmed by the respondent No.2, who is present in Court. She further admits that all the disputes between the two families have been sorted out and the same has been reduced into writing vide settlement deed dated 25.08.2015 before the Mediation Centre, Tis Hazari Courts, Delhi and the same has been acted upon between the parties voluntarily and without any force, pressure or coercion and that nothing remains to be adjudicated further and further submits that she has no objection if the FIR is quashed.

Looking into the above facts and circumstances, since the dispute between the two families has been sorted out amicably and the same has been reduced into writing vide settlement deed dated 25.08.2015 before the Mediation Centre, Tis Hazari Courts, Delhi and the same has been acted upon between the parties and that nothing remains to be adjudicated between them, to have peace in the life of the parties in near future, I deem it appropriate to quash the FIR and all its subsequent proceedings.

Consequently, FIR bearing No.362/2015, under Sections 323/341/354/506/509/34 IPC, registered at Police Station Kirti Nagar, Delhi and all subsequent 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 07, 2017
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