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

+ **CRL.M.C. 509/2017**

MAHESH CHANDRA BHATT & ORS Petitioners
Through: **Mr.Abhishek Swaroop, Adv.**

versus

STATE & ANR Respondents
Through: **Mr.Raghuvinder Varma, APP for**
State with IO SI Ajmer, Police
Station-Nanak Pura
Mr.Atul Kumar, Adv. for R-2.

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

ORDER
% **07.02.2017**

CRL.M.A.2208/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 509/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.127/2009, under Sections 498A/406/34 IPC, registered at Police Station-Nanakpura, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1, Mr.Mahesh Chandra Bhatt got married with respondent No.2, Ms.Sushma on 12.03.2007 according to Hindu rites and customs and out of the said wedlock one girl child namely Bhumika was born on 06.01.2008. He further submits that due to temperamental differences and misunderstanding arisen

between them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences in mediation centre, Saket Courts on 06.05.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 4th January, 2017 granted by the Principal Judge, Family Courts, South East, Saket Courts, New Delhi. He further submits that the terms of settlement has been acted upon and as per the terms of settlement, Ms.Bhumika, daughter of petitioner No.1 and respondent No. 2, shall remain in custody of petitioner No.1. He further submits that as per the terms of settlement, the petitioners have already handed over last instalment of Rs.1,00,000/- (Rupees One Lakh Only) to the respondent No.2. He submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners 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 Ajmer, P.S. Nanakpura, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received last instalment of Rs.1,00,000/- (Rupees One Lakh Only) from the petitioners. She further submits that as per the terms of settlement, her daughter Bhumika is in the custody of petitioner No.1, Mr.Mahesh Chandra Bhatt. She further submits that she has no claim or grievance left against the

petitioners. 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, Mr.Mahesh Chandra Bhatt and respondent No.2, Ms.Sushma has already been dissolved by mutual consent by a decree of divorce dated 4th January, 2017, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.127/2009, under Sections 498A/406/34 IPC, registered at Police Station-Nanakpura, Delhi and all proceedings arising of the same are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

FEBRUARY 07, 2017/radhika