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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 771/2017**
HANS RAJ & ORS

..... Petitioners

Through: Mr.B.L.Madhukar, Advocate with the
petitioners in person.

versus

NCT OF DELHI & ANR

..... Respondents

Through: Ms.Kusum Dhalla, APP for State with
SI Ramesh Kumar, P.S. Sultan Puri,
Delhi.
Mr.Rohit, Advocate for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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27.02.2017

Crl.M.A.No.3268/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 771/2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.972/2005, under Sections 498-A/406/34 IPC, registered at P.S. Sultan Puri, Delhi.

Learned counsel for the petitioners submits that the petitioner No.1 Hans Raj was the husband, petitioner No.2 Smt. Kamla was the mother-in-law, petitioner No.3 Ramesh was the brother-in-law and petitioner No.4. Ms.Hemlata is the sister-in-law of the respondent No.2. Counsel for the petitioners further submits that the marriage between the petitioner No.1 Hans Raj and the respondent No.2/complainant Smt. Sunita was solemnized

on 19.03.2001 at Delhi according to Hindu rites and ceremonies. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted into the registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 20.05.2010 passed by the Judge, Family Court, Rohini Courts, Delhi. Counsel further submits that nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the present petitioners and prays that 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 Ramesh Kumar, P.S. Sultan Puri, Delhi and is also represented by her counsel Mr.Rohit, Advocate. The complainant admits that the matter has been amicably settled with the petitioners and the said settlement arrived at with the petitioners is voluntary and without any force, pressure or coercion. She further admits that she has received all due amounts from the petitioners and nothing remains due and to be paid to her by the petitioners. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce dated 20.05.2010 passed by the Judge, Family Court, Rohini, Delhi 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 nothing further remains to be adjudicated between them and that the marriage

between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 20.05.2010, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same.

Consequently, FIR No.972/2005, under Sections 498-A/406/34 IPC, registered at P.S. Sultan Puri, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

FEBRUARY 27, 2017
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