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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1078/2017
RAJAT KUMAR & ORS

..... Petitioners

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

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Rajendra Dhaka, P.S. Vikas Puri,
Delhi.
R-2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.03.2017

CRL.M.A.4481/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1078/2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.217/2012, under Sections 498-A/406/34 IPC, registered at Police Vikas Puri, New Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner No.1 Dr.Rajat Kumar and the respondent No.2 Garvita Dhall, was solemnized on 19.10.2008 according to Hindu rites and customs and out of the said wedlock, two children were born. 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 and in terms of the said settlement, the respondent No.2 along with her two minor children has joined her matrimonial home and living with her husband (petitioner No.1) happily and peacefully and they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of both the parties and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Mrs.Garvita Dhall is present in Court today and has been identified by the Investigating Officer, SI Rajendra Dhaka, P.S. Vikas Puri, Delhi. The respondent No.2/complainant admits that the matter has been amicably settled with the petitioners and in terms of the said settlement she has joined her matrimonial home and that she along with her two minor children is living happily and peacefully with her husband at her matrimonial home and nothing further remains to be adjudicated between them. She further submits that the said settlement arrived at with the petitioner is voluntary and without any force, pressure or coercion and she does not want any further action qua against the petitioners and 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 in terms of the said settlement, the respondent No.2/complainant along with her two

minor children has joined her matrimonial home and now living with the petitioners happily and peacefully and nothing further remains to be adjudicated between them, 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.217/2012, under Sections 498-A/406/34 IPC, registered at Police Vikas Puri, New Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

MARCH 17, 2017

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