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

+ CRL.M.C. 977/2017

HARISH KAIN & ORS.

..... Petitioners

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

versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Vikas, P.S. Vijay Vihar, Delhi.
Mr.R.K.Rawat, Advocate for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **28.04.2017**

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.164/2013, under Sections 498-A/406/34 IPC, registered at Police Station Vijay Vihar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1, got married with respondent No.2 on 16.02.2010 according to Hindu rites and customs. He further submits that after the marriage, a misunderstanding had arisen between the parties, which resulted into the registration of the aforesaid FIR. Counsel further submits that after the registration of the aforesaid FIR, the near relatives and friends intervened and the dispute has been amicably settled and the same has been reduced into writing before the Mediation Centre, Rohini Courts, Delhi vide settlement deed dated 18th November, 2015. Counsel further submits that the said settlement has been acted upon voluntarily and without any force, pressure or coercion and the last instalment amounting to Rs.3 lacs has already been paid by the

petitioners to the respondent No.2/complainant vide demand draft bearing No.003883 dated 25.04.2017 drawn on HDFC Bank, Cyber City-II, Gurgaon in favour of the respondent No.2 and nothing further remains to be paid in her favour. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 27.08.2016 passed by the Judge, Family Court, North-West District, Rohini Courts, Delhi. Counsel further submits that since the matter has been amicably settled between the parties and nothing further remains to be adjudicated further, however, the FIR in question 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, Smt.Mamta is present in Court today and has been identified by the Investigating Officer, SI Vikas, P.S. Vijay Vihar, Delhi and is also represented by her counsel Mr.R.K.Rawat, Advocate. The respondent No.2/complainant present in person admits that the matter has been amicably settled with the petitioners voluntarily and without any force, pressure or coercion and the same has been reduced into writing before the Mediation Centre, Rohini Courts, Delhi vide settlement deed dated 18.11.2015 and the same has been acted upon between the parties and as per the terms she has received all due amounts from the petitioners and the last instalment amounting to Rs.3 lacs has already been paid to her by the petitioners vide demand draft bearing No.003883 dated 25.04.2017 drawn on HDFC Bank, Cyber City-II, Gurgaon in favour of the respondent No.2 and nothing further remains to be paid in her favour. She further admits that her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 27.08.2016 passed by the Judge,

Family Court, North-West District, Rohini Courts, Delhi and she has no objection if the aforesaid FIR 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 before the Mediation Centre, Rohini Courts, Delhi vide settlement deed dated 18.11.2015 and the same has been acted upon between the parties and as per the terms she has received all due amounts from the petitioners and the last instalment amounting to Rs.3 lacs has already been paid to her by the petitioners vide demand draft bearing No.003883 dated 25.04.2017 drawn on HDFC Bank, Cyber City-II, Gurgaon in favour of the respondent No.2 and the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 27.08.2016 passed by the Judge, Family Court, North-West District, Rohini Courts, Delhi and nothing further remains to be adjudicate between the parties, to have peace in the life of the respective families, I deem it appropriate to quash the FIR and all subsequent proceedings arising therefrom. Consequently, the FIR No.164/2013, under Sections 498-A/406/34 IPC, registered at Police Station Vijay Vihar, Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

APRIL 28, 2017

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