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

+ CRL.M.C. 1045/2017

BHARAT BHAMBRI & ORS.

..... Petitioners

Through: Ms.Swastika Singh, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Prem Raj, P.S. Moti
Nagar, Delhi.
Mr.G.B.Sewak, Advocate for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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22.03.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.872/2014, under Sections 498-A/406/34 IPC, registered at Police Station Moti Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Bharat Bhambri was the husband, who got married with respondent No.2, Harshita on 25.11.2013 according to Hindu rites and customs. He further submits that after the marriage temperamental differences and misunderstanding had arisen between them, which resulted into registration of the aforesaid FIR. Counsel further submits that after the registration of the

FIR, the near relatives and close friends intervened and the matter has been amicably settled before the Mediation Centre, Tis Hazari Courts, Delhi and the same has been reduced into writing vide settlement deed dated 15.11.2014 and the said settlement has been acted upon between the parties and as per the settlement the respondent No.2 has received all due amounts from the petitioners and the last instalment amounting to Rs.1.75 lakhs has also been received by her vide demand draft bearing No.772271 dated 6th March, 2017 drawn in favour of the respondent No.2 and nothing remains to be due and payable to her. Counsel further submits that the marriage of the petitioner No.1 and the respondent No.2 has also been dissolved by mutual consent by a decree of divorce dated 17.12.2015 passed by the Principal Judge, Family Court (West), Tis Hazari Courts, Delhi. He further 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, Ms.Harshita is present in Court today and has been identified by the Investigating Officer, SI Prem Raj, PS-Moti Nagar, Delhi and also represented by counsel Mr.G.B.Sewak, Advocate. The complainant also admits that the matter has been amicably settled with the petitioners voluntarily and without any force, pressure or coercion and as per the terms of settlement, she has already received all dues from the petitioners and nothing remains to be due and payable to her and

the last instalment of Rs.1.75 lakh has also been received by her vide demand draft bearing No.772271 dated 6th March, 2017. She further submits that she has no claim or grievance left against the petitioners. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce dated 17.12.2015 passed by the Principal Judge, Family Court (West), Tis Hazari Courts, 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 the same has been reduced into writing before the Mediation Centre, Tis Hazari Courts, Delhi vide settlement deed dated 15.11.2014 and also 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 17.12.2015, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.872/2014, under Sections 498-A/406/34 IPC, registered at Police Station Moti Nagar, 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*.

I.S.MEHTA, J

MARCH 22, 2017

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