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

+ CRL.M.C. 1085/2017

YADWINDER SINGH

..... Petitioner

Through: Ms.Radhika Arora, Advocate with the
petitioner in person.

versus

STATE & ANR,

.... Respondents

Through: Ms.Kusum Dhalla, APP for State with
SI Mukesh Yadav, P.S. Jagatpuri,
Delhi.
Mr.Vishal Choudhary, Advocate for
R2 with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **17.03.2017**

CRL.M.A.4501/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1085/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner for quashing of FIR No.382/2011, under Sections 498-A/406/34 IPC, registered at Police Station Jagatpuri, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner Yadwinder Singh got married with respondent No.2, Ms.Seema on 15.05.1991 according to Hindu rites and customs and out of the said wedlock, two children, namely, Harpreet Singh (son) and Mansi (daughter) were born. Counsel further submits the son Harpreet Singh is doing job. Counsel further submits that after the marriage, misunderstanding arose

between the parties resulting 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 between the parties and the same has been reduced into writing vide settlement deed dated 18.03.2015 before the Mediation Centre, Karkardooma Courts, Delhi and the said settlement has been acted upon between the parties and the same is voluntary and without any force, pressure or coercion. Counsel further submits that as per the said settlement, all due amounts have been paid to the respondent No.2 and the last instalment of Rs.6 lacs has already been paid to the respondent No.2/complainant vide demand drafts bearing Nos.500509, 508677, 500511, 500510, 393011 and 393012 respectively in the sum of Rs.1 lakh each in favour of Ms.Seema (respondent No.2 herein) and the marriage of the petitioner and the respondent No.2 has also been dissolved by mutual consent by a decree of divorce dated 04.04.2016 passed by the Principal Judge, Family Courts, Shahdara, Karkardooma 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 petitioner. He further submits that the petitioner 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.Seema is present in Court today and has been identified by the Investigating Officer, SI Mukesh Yadav, P.S. Jagatpuri, Delhi and also represented by her counsel. The complainant also admits that the matter has been amicably settled with the

petitioner and the same has been reduced into writing vide settlement deed dated 18.03.2015 before the Mediation Centre, Karkardooma Courts, Delhi and as per the terms of settlement, she has already received the last instalment amounting to Rs.6,00,000/- (Rupees Six Lakhs Only) from the petitioner and nothing remains due against the petitioner. She further submits that she has no claim or grievance left against the petitioner. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that her marriage with the petitioner has already been dissolved by mutual consent by a decree of divorce dated 04.04.2016 passed by the Principal Judge, Family Courts, Shahdara, Karkardooma 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 and also the marriage between the petitioner and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 04.04.2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.382/2011, under Sections 498-A/406/34 IPC, registered at Police Station Jagatpuri, Delhi and all the proceedings emanating therefrom are hereby quashed. Parties to remain bound by the terms of settlement dated 18.03.2015.

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

MARCH 17, 2017/‘dc’