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

+ CRL.M.C. 1121/2017

NITIN PAL & ORS.

..... Petitioners

Through: Mr.Chandra Shekher Yadav,
Advocate with the petitioners in
person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
with ASI Virendra Kr., P.S. Zafrabad,
Delhi.
Mr.Shashi Kant, Advocate for R2
with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
20.03.2017

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This is a petition under Section 482 Cr.P.C. for quashing of FIR No.0634/2015, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Jafrabad, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner No.1 Shri Nitin Pal and the respondent No.2 Smt. Komal Pal was solemnized on 07.12.2012 and out of the said wedlock, one male child,

namely Kanishk was born on 30.08.2013. Counsel further submits that after the marriage due to temperamental differences, misunderstanding had arisen between them, resulting into the registration of the aforesaid FIR. He also submits that after the registration of FIR, the near relatives and close friends intervened and the matter has been amicably settled and the same has been reduced into writing vide settlement deed dated 19.12.2015 before the Mediation Centre, Karkardooma Courts, Delhi and in terms of the said settlement the respondent No.2 along with her minor son has joined her matrimonial home and now living with her husband (petitioner No.1) as husband and wife happily and peacefully. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further. He also submits that the FIR in question is coming as hurdle in the peaceful life of the petitioners and respondent No.2 and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2 /complainant is present before the Court with her counsel and is identified by the Investigating Officer, ASI Virendra Kumar, PS Jafrabad, Delhi and also represented by counsel. The respondent No.2/complainant admits that the matter has been amicably settled between the parties and the same has been reduced into writing vide settlement deed dated 19.12.2015 and the said settlement is voluntary and without any force, pressure or coercion. She further submits that now she is living together with her husband (petitioner No1 herein) along with her minor son happily and peacefully and she is left with no claim or grievance against the petitioners and nothing remains to be adjudicated further between them 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 vide settlement deed dated 19.12.2015 and in terms of the said settlement, the respondent No.2/complainant along with her minor son is residing with the petitioners in the matrimonial home happily and peacefully, no useful purpose will be served to continue with the proceedings against the petitioners. Consequently, in the interest of justice to have peace in the life of the parties and to enable the parties to maintain their matrimonial relations, FIR No.0634/2015, under Sections 498A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Jafrabad, Delhi and all the proceedings emanating therefrom are quashed. The parties shall remain bound by the terms of the settlement deed dated 19.12.2015.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

MARCH 20, 2017

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