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

+ CRL.M.C. 1193/2017

JAGMEET SINGH SHERA & ORS. Petitioners

Through: Mr.R.K.Jain, Adv.

versus

STATE (NCT OF DELHI) & ANR. Respondents

Through: Mr.G.M.Farooqui, APP for State
S.I. Bijender, P.S. North Rohini
Mr.Avinash Yadav, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **22.03.2017**

CRL.M.A.4871/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 1193/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.397/2013, under Sections 498-A/406/34 IPC, registered at Police Station North Rohini, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 got married with the respondent No.2 on 11.03.2011 according to Sikh rites and ceremonies. Counsel further submits that after the marriage misunderstanding has arisen between the parties, which resulted into registration of the said FIR. He further submits that after the registration of

the said 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 on 11.08.2016. He further submits that the marriage between the parties has already been dissolved by mutual consent by a decree of divorce dated 11.08.2016 granted by the Principal Judge (North-West), Family Courts, Rohini, Delhi. He further submits that as per the terms of settlement, the last amount due to be paid to the respondent No.2 is Rs.25,000/- and the same has been paid today in cash and that nothing remains to be adjudicated upon further. He also submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that FDRs have been deposited in the Trial Court in favour of respondent No.2 and he has no objection, if the same are released to the respondent No.2. He further submits that the petitioner No.1 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 is present in Court today and has been identified by the Investigating Officer, S.I Bijender. The complainant also admits that the matter has been amicably settled with the petitioners. She further submits that as per the terms of settlement she has received last instalment of Rs.25,000/- in cash today. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce 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 also the marriage between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce, it is in their interest to lead their independent and peaceful life in future. Consequently, the FIR No. 397/2013, under Sections 498-A/406/34 IPC, registered at Police Station North Rohini, Delhi and all proceedings emanating therefrom are hereby quashed, with a further direction that all the FDRs deposited in favour of respondent No.2 in the Trial Court be released to respondent No.2.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MARCH 22, 2017/km