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

+ CRL.M.C. 1666/2017 & Crl.M.A Nos. 6753-6755/2017

VINAY BHATIA & ORS. Petitioners
Through Mr. Sharad K.Aggarwal, Advocate
with petitioner in person

versus

STATE OF DELHI & ANR. Respondents
Through Mr. Ashok K.Garg, Addl.PP for State
with W/ASI Sayani Devi, P.S.North,
Rohini
Ms.Jyoti Sharma, Adv. for respondent
no.2 with respondent no.2 in person

CORAM:
HON'BLE MR. JUSTICE A. K. CHAWLA
ORDER
% **16.05.2017**

By the petition filed under Section 482 Cr.PC, FIR No. 369/2012 under Section 498A/406/34 IPC P.S.Rohini, is sought to be quashed. I.O is present and identifies the petitioner and complainant/respondent No.2. In pursuance of compromise/settlement arrived at, a decree of divorce, has already come to be passed on 23.1.2017 by the Principal Judge, North West, Family Courts, Rohini. The terms and conditions of the compromise/settlement arrived at, are enumerated in para 10 of the petition filed under Section 13(B) (2) of H.M. Act, on the premise whereof, a decree of divorce amongst complainant and petitioner

No.1 has already come to be passed.

Today, a demand draft drawn on OBC Bank favouring the complainant/respondent No.2 in the sum of Rs.5 lacs has come to be handed over to respondent no.2. Respondent No.2 accepts the said payment and states that after the said payment received, all her claims under the compromise/settlement arrived at, get resolved and she is left with no claim(s) of any kind whatsoever, against the petitioners. Learned counsel appearing for the respondent No.2 states so equally.

Though, the challan has been filed but the matter is still under consideration on charge. With the compromise arrived at, it is not likely that the trial of the offences would bear any fruits. The off-shoot of the FIR is a matrimonial dispute and thereby, a private one. With the compromise/settlement arrived at, not only the respective parties would get an opportunity to have better recourse for their lives, the elements of any enmity, are also getting resolved.

Keeping in view the totality of the facts and circumstances, I am satisfied that the ends of justice would be met with, if the subject FIR No.369/2012 under Section 498A/406/34 IPC P.S.Rohini is quashed alongwith consequential action(s) emanating therefrom, including the filing of the charge sheet. It is ordered accordingly.

The petition stands disposed of accordingly.

A.K.CHAWLA, J

MAY 16, 2017

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