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

+ CRL.M.C. 1325/2017

ANAND SINGH & OTHERS

..... Petitioners

Through: Mr.Karamveer Singh and Mr.Teupal,
Advocates with the petitioners in
person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Sudhir Kumar, P.S.
Mandir Marg, New Delhi.
Mr.Neeraj Shrotriya, Advocate for R2
with R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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20.09.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.123/2007, under Sections 498-A/406/34 IPC, registered at Police Station Mandir Marg, New Delhi and all subsequent proceedings emanating therefrom, conviction order on sentence/judgment dated 27.02.2016 passed by the Court of learned Metropolitan Magistrate, New Delhi.

Learned counsel for the petitioners has submitted that the petitioner No.1 Anand Singh got married to the respondent No.2 Nayan Rathore on 29.01.2005 as per Hindu rites and ceremonies and out of the said wedlock, two children, i.e. one daughter, namely, Ipshita (aged 10 years) and one son, namely, Raghav Singh (aged 9 years) were born. Counsel further submits that subsequently, a misunderstanding had arisen between the parties, which resulted into registration of the aforesaid FIR against the petitioners.

Counsel further submits that after the registration of the said FIR, the near relatives and the friends intervened and the misunderstanding has been sorted out and the dispute has been amicably settled voluntarily and without any force, pressure or coercion. Counsel further submits that the same has been reduced into writing before the Delhi Mediation Centre, Patiala House Courts, New Delhi on 22.03.2017 and the same has been acted upon by the parties and in terms of the said settlement, the respondent No.2 along with her two minor children has joined her matrimonial home at Ahmedabad and now she along with her children is living with her husband at her matrimonial home happily and peacefully and nothing further remains to be adjudicated between them, however, the present FIR is coming as a hurdle in the personal life of the petitioners and prays that the FIR in question and all subsequent proceedings including the impugned judgment and order on sentence may be quashed.

The respondent No.2/complainant, Smt.Nayan Rathore is present in person and has been identified by the IO SI Sudhir Kumar, P.S. Mandir Marg, New Delhi and also represented by her counsel, Mr.Neeraj Shrotriya, Advocate. The respondent No.2/complainant present in person admits that she has amicably settled the dispute with the petitioners before the Delhi Mediation Centre, Patiala House Courts, New Delhi on 22.03.2017 voluntarily and without any force, pressure or coercion and as per the said settlement she along with her two minor children has joined her matrimonial home at Ahmedabad and now she is living with her husband at her matrimonial home happily and peacefully and she is left with no grievance against the petitioners and nothing further remains to be adjudicated between them and she has no objection if the present FIR is quashed.

Looking into to the above facts and circumstances, since the misunderstanding has been sorted out and the dispute has been amicably settled between the parties before the Delhi Mediation Centre, Patiala House Courts, New Delhi on 22.03.2017 voluntarily and without any force, pressure or coercion and as per the said settlement the respondent No.2/complainant along with her two minor children has joined her matrimonial home at Ahmedabad and now she is living with her husband at her matrimonial home happily and peacefully and she is left with no grievance against the petitioners and nothing further remains to be adjudicated between them, in these circumstances, to have peace in the matrimonial life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all subsequent proceedings arising therefrom.

Consequently, FIR No.123/2007, under Sections 498-A/406/34 IPC, registered at Police Station Mandir Marg, New Delhi and all subsequent proceedings emanating therefrom and conviction order on sentence/judgment dated 27.02.2016 passed by the Court of learned Metropolitan Magistrate, New Delhi are hereby quashed/set aside. Parties shall be bound by the settlement dated 22nd March, 2017.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

SEPTEMBER 20, 2017

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