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

+ CRL.M.C. 1546/2017

BHAGIRATH & ORS. Petitioners

Through: Mr.Sachin Garg, Adv.

versus

STATE & ANR. Respondents

Through: Mr.Izhar Ahmad, APP for State
Mr.Harish Kumar, Adv. for R-2
S.I. Jasmer Singh, P.S. Jahangir Puri

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **19.04.2017**

Crl. M.A. 6286/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 1546/2017 & Crl. 6285/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.48/2012, under Sections 498-A/406/34 IPC, registered at Police Station Jahangir Puri 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 30.06.2009 according to Hindu 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 before the Mediation Centre, Rohini Courts, Delhi and the same has been reduced into writing vide Settlement Agreement dated 29.01.2015. He further submits that the marriage between the parties has already been dissolved by mutual consent by a decree of divorce dated 15.10.2016 granted by the Principal Judge, 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.75,000/- and the same has been paid today by way of demand draft bearing No.623289, amounting to Rs.75,000/-, dated 31.03.2017, drawn on State Bank of India 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 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. Jasmer Singh. 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.75,000/- by way of aforementioned demand draft. 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. 48/2012, under Sections 498-A/406/34 IPC, registered at Police Station Jahangir Puri and all proceedings emanating therefrom are hereby quashed.

The present petition and the accompanying application are disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

APRIL 19, 2017//km