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

+ **W.P.(CRL.) 1091/2017**

GAURAV NEGI & ORS. Petitioners

Through Mr.Sumit Choudhary, Adv. with
Mr.Mohit Agarwal, Adv.

VERSUS

STATE & ANR. Respondents

Through Mr.R.S. Kundu, ASC for the State
with Mr.Peeyush Bhatia, Adv. with SI P.L. Meena.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **19.07.2017**

Crl.M.A. 6131/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

W.P.(CRL.) 1091/2017

1. The petitioners have invoked the writ jurisdiction of this court under Article 226 and 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 for quashing of the FIR bearing No. 1354/2015, registered on 30.10.2015 with PS Aman Vihar, Delhi, under Sections 498A/323/506/34 of IPC read with Section 3/4 of Dowry Prohibition Act, 1961.

2. Status report has been filed. The matter is still at the initial stage of

the investigation and charge sheet has so far not been filed.

3. The respondent No.2 is present in Court and has been identified by the Investigating Officer.

4. The marriage of the petitioner no. 1 and the respondent no. 2 was solemnized on 23.01.2015 as per Hindu rites and ceremonies. No issue was born out of the wedlock. Some differences cropped up between the petitioner No.1 and respondent No.2 and as a result of which the respondent No.2 left the matrimonial home after few months of the marriage and came back to her parental home.

5. She lodged a complaint on 11.09.2015 against the petitioners at Police Station Dwarahaat, District Almora, which was converted into a zero FIR. This Zero FIR was forwarded to Police Station Aman Vihar, Delhi for registration of FIR. On the basis of said zero FIR, the FIR No.1354/2015 was registered with Police Station Aman Vihar, Delhi.

6. The parties have amicably settled the matter on 13th January, 2016 by which the petitioner No.1 and respondent No.2 decided to part with company of each other by obtaining divorce from the Court. The petitioner No.1 had returned all the dowry articles to the respondent No.2 and had paid a sum of Rs.2 lac to the respondent No.2 in full and final settlement of her claims including the maintenance. Copy of settlement dated 13.11.2016 is placed on record.

7. Pursuant to settlement, it is submitted that on 18.04.2016 a decree of divorce was granted by the court of Civil Judge (Senior Division), Almora, Uttarakhand by which their marriage was dissolved. Copy of Judgment is on record.

8. The respondent No.2, who is present in Court, submits that she had withdrawn her application/petition filed under Section 125 Cr.P.C. seeking maintenance from the concerned court of MM at Almora. She confirms that she had settled the matter willingly and without any force or compulsion and received her dowry articles and Rs.2 lac in cash in full and final settlement of her claim from the petitioners. She submits that FIR may be quashed, as does not want it to continue.

9. Both the parties submit that now nothing is due and recoverable by them against each other. In these circumstances, when the matter has been amicably settled between the parties, no purpose would be served in further pursuing with the matter in the FIR bearing No. 1354/2015, registered on 30.10.2015 with PS Aman Vihar, Delhi, under Sections 498A/323/506/34 of IPC and 3/4 of Dowry Prohibition Act 1961. As such, to secure ends of justice, the FIR bearing No. 1354/2015, registered on 30.10.2015 with PS Aman Vihar, Delhi, under Sections 498A/323/506/34 of IPC and 3/4 of Dowry Prohibition Act 1961 and proceedings arising out of the same are hereby quashed.

10. The petition is disposed of.



VINOD GOEL, J.

JULY 19, 2017/jmdr