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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3741/2016**
KISHAN & ORS

..... Petitioners

Through: Mr.Ashish Kumar, Advocate with the
petitioners in person.

versus

NCT OF DELHI & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Daya Shankar, P.S. Palam Vihar,
Delhi.
R-2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
10.02.2017

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This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.166/2013, under Sections 498-A/406/34 IPC registered at Police Station Palam Village, Delhi and all subsequent proceedings arising therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Kishan was the husband, petitioner No.2 Smt. Sheela was the mother-in-law, petitioner No.3 Shri Rohtash was the father-in-law, petitioner No.4 Smt. Urmila was the sister-in-law and petitioner No.5 Shri Nem Chand was the brother-in-law of the respondent No.2/complainant. Counsel further submits that the petitioner No.1 Kishan got married with the respondent

No.2/complainant Ms.Ritu on 23.02.2012 as per Hindu rites and customs and out of the said wedlock, one male child Daksh was born on 17.01.2013. Counsel for the petitioners further submits that due to misunderstanding arisen between the parties, the respondent No.2/complainant got registered an FIR No.166/2013, under Sections 498-A/406/34 IPC at Police Station Palam Village, Delhi. Counsel for the petitioners further submits that after the registration of the FIR, the near friends and relatives intervened and the matter has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Dwarka Courts, New Delhi on 19.09.2015 and the terms of the said settlement have been duly acted upon by the parties. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by a decree of divorce dated 02.06.2016 passed by the Family Courts, Dwarka, New Delhi. Counsel further submits that nothing remains to be adjudicated between the parties, however, the present FIR is coming as a hurdle in the peaceful life of the petitioners and submits that the aforesaid FIR may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer SI Daya Shankar, P.S. Palam, Village, Delhi. The respondent No.2/complainant in person admits that the matter has been amicably settled by her with the petitioners before the Mediation Centre, Dwarka Courts, New Delhi on 19.09.2015 and that the said settlement/compromise is voluntary and without any force, pressure or coercion and further admits that her marriage with the petitioner No.1 has already been dissolved by a decree of divorce dated 02.06.2016 passed by the Family Court, Dwarka, New Delhi and nothing remains to be paid to her

by the petitioners and further submits that she has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled/resolved between the parties which has been reduced into writing before the Mediation Centre, Dwarka Courts, New Delhi on 19.09.2015 and that the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved by a decree of divorce dated 02.06.2016 passed by the Family Court, Dwarka, New Delhi and nothing remains to be adjudicated between the parties, to have peace in the life of the parties in near future and to meet the ends of justice, I deem it appropriate to quash the present FIR and all subsequent proceedings.

Consequently, FIR No.166/2013, under Sections 498-A/406/34 IPC registered at Police Station Palam Village, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is allowed and stands disposed of.

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

I.S.MEHTA, J

FEBRUARY 10, 2017

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