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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 1766/2017**
KAWAL JEET SINGH

..... Petitioner

Through: Mr.Ghemender Singh, Advocate with
the petitioner in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
Sub Inspector Anju Tyagi, P.S. Hari
Nagar, Delhi.
Mr.R.K.Padhi, Advocate for R2 with
R2/complainant in person.

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

ORDER

% **02.05.2017**

Crl.M.A.No.7211/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1766/2017 and Crl.M.A.No.7212/2017 (stay)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.20/2013, under Sections 498-A/406/34 IPC, registered at Police Station Hari Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner Kawaljeet Singh got married with respondent No.2 Smt. Smt.Preeti Kaur on

15.01.2007 as per Hindu (Sikh) rites and rituals and out of the said wedlock, one female child, namely Ravjot was born on 06.08.2007. Counsel further submits that after the birth of the minor child, who is now in the care and custody of the petitioner, disputes and differences arose between the parties which resulted into registration of the aforesaid FIR. Counsel further submits that after the registration of the FIR, the near relatives and friends intervened and the dispute has been amicably settled between the parties and the same has been reduced into writing vide Memorandum of Understanding dated 22.01.2016. Counsel further submits that the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 and nothing remains to be due and paid to her and the last instalment amounting to Rs.1 lac has been paid to her vide demand draft bearing No.275405 dated 02.05.2017 drawn on Bank of Baroda, Hari Nagar Branch, New Delhi. Counsel further submits that the marriage of the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 21.01.2017 passed by the Principal Judge, Family Court(West), Tis Hazari Courts, Delhi. Counsel further submits that since the matter has been amicably settled between the parties and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the parties and prays that the FIR in question and all subsequent proceedings may be quashed.

The respondent No.2/complainant, Smt.Preeti Kaur is present in Court today and has been identified by the Investigating Officer, SI Anju Tyagi, P.S. Hari Nagar, Delhi and is also represented by her counsel R.K.Padhi, Advocate. The respondent No.2/complainant present in person admits that

the matter has been amicably settled with the petitioner voluntarily and without any force, pressure or coercion and the same has been reduced into writing vide Memorandum of Understanding dated 22.01.2016. Respondent No.2 present in person further admits that the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to her and nothing remains to be due and paid to her and the last instalment amounting to Rs.1 lac has been paid to her vide demand draft bearing No.275405 dated 02.05.2017 drawn on Bank of Baroda, Hari Nagar Branch, New Delhi. She further admits that her marriage with the petitioner has already been dissolved vide judgment and decree dated 21.01.2017 passed by the Principal Judge, Family Court(West), Tis Hazari Courts, Delhi and nothing further remains to be adjudicated between the parties and she has no objection if the aforesaid FIR is quashed.

Looking into the aforesaid facts and circumstances, since the dispute has been amicably settled between the parties and the same has been reduced into writing vide Memorandum of Understanding dated 22.01.2016 and that the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to the respondent No.2 and nothing remains to be due and paid to her and the marriage of the petitioner and the respondent No.2 has already been dissolved vide judgment and decree dated 21.01.2017 passed by the Principal Judge, Family Court(West), Tis Hazari Courts, Delhi and the female child is stated to be in the custody of the petitioner and nothing remains to be adjudicated further between the parties, to have peace in the life of the respective families, I deem it appropriate to quash the FIR and all subsequent proceedings. Consequently, the FIR No.20/2013, under Sections 498-A/406/34 IPC, registered at Police

Station Hari Nagar, Delhi and all the proceedings emanating therefrom are hereby quashed. Parties shall remain bound by the settlement.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

MAY 02, 2017

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