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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1826/2017
UDIT KUMAR & ORS

..... Petitioners

Through: Mr.Vishwanand Singh, Advocate
with the petitioners in person.

versus

THE STATE & ANR

..... Respondents

Through: Mr.Kamal Kr. Ghei, APP for State
with SI Gajender Singh, P.S. CWC,
Nanakpura, New Delhi.
Mr.Vijay Kumar, Advocate for R2
with R2/complainant in person.

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

ORDER
05.05.2017

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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.62/2015, under Sections 498-A/406/34 IPC, registered at Police Station CAW Cell, Nanakpura, New Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Udit Kumar got married with respondent No.2 Smt. Smt.Manisha

Choudhary @ Shilpi on 29.11.2013 as per Hindu rites and ceremonies. Counsel further submits that after the marriage, disputes and differences had arisen 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 before the Family Counselling Cell, Family Court, Patiala House Courts, New Delhi on 08.04.2016 and 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 the last instalment amounting to Rs.3,00,000/- has been paid to her vide demand draft bearing No.011222 dated 04.05.2017 drawn on HDFC Bank, in favour of the respondent No.2/complainant and nothing remains to be due and paid to her. Counsel further submits that the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 10.01.2017 passed by the Principal Judge, Family Court, Patiala House Courts, New 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.Manisha Choudhary @ Shilpi is present in Court today and has been identified by the Investigating Officer, SI Gajender Singh, P.S. CAW Cell, Nanakpura, New Delhi and is also represented by her counsel Mr.Vijay Kumar, Advocate. The respondent No.2/complainant present in person admits that the matter has been amicably settled with the petitioners voluntarily and without any force,

pressure or coercion and the same has been reduced into writing before the Family Counselling Cell, Family Court, Patiala House Courts, New Delhi on 08.04.2016 and the said settlement has been acted upon between the parties and all due amounts as per settlement have been paid to her and the last instalment amounting to Rs.3,00,000/- has been paid to her vide demand draft bearing No.011222 dated 04.05.2017 drawn on HDFC Bank, and nothing remains to be due and paid to her. She further admits that her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 10.01.2017 passed by the Principal Judge, Family Court, Patiala House Courts, New 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 before the Family Counselling Cell, Family Court, Patiala House Courts, New Delhi on 08.04.2016 and 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 the last instalment amounting to Rs.3,00,000/- has been paid to her vide demand draft bearing No.011222 dated 04.05.2017 drawn on HDFC Bank, in favour of the respondent No.2/complainant and nothing remains to be due and paid to her and the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 10.01.2017 passed by the Principal Judge, Family Court, Patiala House Courts, New Delhi 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, FIR No.62/2015, under Sections 498-A/406/34 IPC, registered at Police Station CAW Cell, Nanakpura, New 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 05, 2017

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