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

+ W.P.(CRL) 1386/2017

ANKIT KUMAR & ORS.

..... Petitioners

Through: Mr.R.P.S. Bhatti, Advocate with
petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR..... Respondents

Through: Ms. Nandita Rao, ASC for State with
Mr.Archit Vashishtha, Advocate along with SI
Samrat and SI Rakesh Kumar, PS Harsh Vihar,
Delhi.

Respondent no. 2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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26.07.2017

1. Status report has been filed. The same is taken on record.
2. Respondent no. 2 appears in person, who is duly identified by the IO SI Samrat and SI Rakesh Kumar.
3. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No. 211/2016, registered on 19.06.2016 with PS Harsh Vihar, Delhi, under Section 498A/406/34 IPC & Section 4 of The Dowry Prohibition Act, 1961.
4. The marriage of the petitioner no. 1 and the respondent no. 2 was solemnized on 11.03.2011 as per Hindu rites and ceremonies in Delhi.

Out of the said wedlock, one male child namely 'Prince' was born on 15.07.2013.

5. The petitioner no. 2 is the mother of petitioner no. 1, petitioner no. 3 is the brother of the petitioner no. 1 and the petitioner no. 4 is the father of the petitioner no.1.
6. After solemnization of marriage, the petitioner no. 1 and the respondent no. 2 started residing at the matrimonial home. However, after some time, due to some temperamental differences between the petitioner no. 1 and the respondent no.2 they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home and started living with her parents.
7. The respondent no. 2 lodged a complaint with CAW Cell, Delhi, which culminated into FIR No. 211/2016, registered on 19.06.2016 with PS Harsh Vihar, Delhi, under Section 498A/406/34 IPC & Section 4 of The Dowry Prohibition Act, 1961. Respondent no. 2 had also filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 (in short 'DV Act') before the court of learned MM, Mahila Court, Delhi and another petition under Section 125 of Cr.PC for maintenance against the petitioner no.1 before Principal Judge, Family Court, Delhi.
8. Learned MM, Mahila Court made a reference to the Delhi Mediation Centre, Karkardooma Court, Delhi. The parties have arrived at a settlement before the learned Mediator on 19.09.2016 and petitioner No.1 and respondent No.2, after resolving all their differences, have decided to reside together along with their son peacefully.
9. The respondent no. 2 submits that she had withdrawn both the said

petitions from the concerned courts.

10. Pursuant to the said settlement, the petitioner no. 1 and the respondent no. 2 have started living together since 01.10.2016. The respondent no. 2, present in the court, states that she has been kept happily by the petitioner. She confirms that she has willingly settled the matter with the petitioners without any force or coercion and she does not want to pursue her FIR. She submits that the said FIR may be quashed.
11. IO through the ASC submits that the charge-sheet has not been filed as the parties have amicably arrived at the settlement.
12. The matter has been amicably settled between the parties and no purpose would be served in further pursuing with the FIR bearing No. 211/2016, registered on 19.06.2016 with PS Harsh Vihar, Delhi, under Section 498A/406/34 IPC & Section 4 of The Dowry Prohibition Act, 1961. Hence, to secure ends of justice, the FIR bearing No. 211/2016, registered on 19.06.2016 with PS Harsh Vihar, Delhi, under Section 498A/406/34 IPC & Section 4 of The Dowry Prohibition Act, 1961 and proceedings arising out of the same are hereby quashed.
13. The petition is disposed of.

VINOD GOEL, J.

JULY 26, 2017
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