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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1442/2017

ROHIT & ANR

..... Petitioners

Through Mr.A.S. Thapa, Adv. with petitioners
in person.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through Mr.Sanjay Lao, ASC for State with
Mr.Siddharth Sindhu, Adv. along with SI Mahavir
Singh.
Respondent No.2 in person.**CORAM:****HON'BLE MR. JUSTICE VINOD GOEL****ORDER**

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25.08.2017

1. 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. 0442/2014, registered on 23.04.2014 against them with Police Station Vijay Vihar, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.2.
2. Respondent no. 2 is present in person. She is duly identified by the IO SI Mahavir Singh.
3. The marriage of the petitioner no. 1 and the respondent no. 2 was solemnized on 05.12.2012 as per Hindu rites and ceremonies in Delhi. However, no issue out of the said wedlock was born.

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4. The petitioner no. 2 is the mother of petitioner no. 1.
 5. After solemnization of their marriage, the petitioner no. 1 and the respondent no. 2 started residing together in the matrimonial home. 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 in May, 2013 and started living separately.
 6. The respondent no. 2 lodged a complaint with CAW Cell which culminated into said FIR. She had also filed a petition under Section 125 of Cr.PC for maintenance against the petitioner no.1 before Ld.Principal Judge, Family Court, North West District, Rohini, Delhi.
 7. Learned ASC through the IO submits that the charge sheet in the matter has been filed against the petitioners.
 8. The parties had amicably resolved all their disputes on 02.02.2017 before the Ld.Principal Judge, Family Court, North West District, Rohini, Delhi. By way of the settlement, the petitioner no. 1 and the respondent no. 2 had decided to part company of each other and obtain a decree of divorce by mutual consent. It had also been settled that the petitioner no. 1 shall pay a total sum of Rs.1,60,000/- to the respondent no. 2 in full and final settlement of all her claims including the maintenance, cost of dowry/*stridhan* articles.
 9. Pursuant to this settlement, at the time of recording the statement of the parties in the second motion petition, a sum of Rs.1,60,000/- was paid on 02.02.2017 by the petitioner no. 1 to the respondent no. 2. A decree of divorce by mutual consent was passed on 02.02.2017 by the court of learned Principal Judge, Family Court, North West District,

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Rohini, Delhi, by which the marriage between the petitioner no. 1 and the respondent no.2 was dissolved.

10. Respondent No.2 submits that she had received the entire settlement amount of Rs.1,60,000/- from the petitioner no. 1. She further submits that she had withdrawn her petition under Section 125 of Cr.PC. She submits that she had voluntarily settled the matter with the petitioners without any force or coercion. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
11. Both the parties submit that now nothing is due and recoverable by them against each other. The matter had been amicably settled between the parties and no purpose would be served in further pursuing with the said FIR. Hence, to secure ends of justice, the FIR bearing No. 0442/2014, Police Station Vijay Vihar, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed.
12. The petition is disposed of accordingly.



VINOD GOEL, J.

AUGUST 25, 2017/jitender