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

+ W.P.(CRL) 1534/2017

NISHANT YADAV & ORS.

..... Petitioners

Through: Mr. Arun Kumar Yadav, Advocate with
petitioners in person.

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through Ms. Kamna Vohra, ASC with SI
Dharamvir Singh, P.S. CWC, Nanakpura, Delhi.
Mr. Ankit Sharma, Advocate along with
respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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04.09.2017

1. Status report has been filed.
2. 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. 17/2016, registered on 24.02.2016 against them with Police Station Crime (Women) Cell Nanak Pura, Special Police Unit for Women and Children, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.2.
3. Respondent No.2 accompanied by her father and brother has appeared in person. She is being represented by her counsel. She is duly identified by IO SI Dharamvir Singh.

4. The marriage of the petitioner no.1 and the respondent no. 2 was solemnized on 13.11.2013 as per Hindu rites and ceremonies at Mapple Hotel, NH-8, New Delhi. However, out of this wedlock no child was born.
5. The petitioners No.2 and 3 are the parents of petitioner No.1, petitioner No.4 is the sister of petitioner No.1.
6. 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 on 21.09.2015 and started residing with her parents.
7. The respondent no. 2 lodged a complaint with CAW Cell on 06.10.2015 which culminated into said FIR against the petitioners.
8. On making reference by the learned MM, Mahila Court, Dwarka Courts, New Delhi, the parties had appeared before the Mediator, Delhi Mediation Centre, Dwarka Courts, District Courts, New Delhi. They had resolved and settled all their disputes on 28.07.2016. By this 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. The petitioner no. 1 had agreed to pay a total sum of Rs.20,00,000/- to the respondent no. 2 in full and final settlement of all her claims including the maintenance and cost of dowry/*stridhan* articles.
9. Pursuant to this settlement, at the time of mediation settlement a sum of Rs.5,00,000/- was paid by the petitioner No.1 to the respondent

No.2. Further, at the time of recording the statement of the parties in the first motion petition, a sum of Rs.5,00,000/- was paid by the petitioner no. 1 to the respondent no. 2. A sum of Rs.5,00,000/- was paid by the petitioner No.1 to the respondent No.2 at the time of recording their statements in the second motion petition. A decree of divorce by mutual consent was awarded on 17.04.2017 by the court of learned Principal Judge, Family Courts, Dwarka, New Delhi by which the marriage between the petitioner no. 1 and the respondent no.2 was dissolved.

10. Today, the petitioner No.1 has paid the balance settlement amount of Rs.5,00,000/- vide three separate DDs No.(i) 557117 dated 04.09.2017 for Rs.1,00,000/- issued by Syndicate Bank, K.G. Marg, New Delhi, (ii) 000974 dated 05.05.2017 and (iii) 000975 dated 05.05.2017 for Rs.2 Lacs each issued on Axis Bank, Chhapra, Kurukshetra (Haryana) to respondent No.2. She submits that she has received the entire settlement amount from the petitioner No.1. The respondent No.2 present in the court states that she had voluntarily resolved all disputes with the petitioners without any coercion or force. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
11. Learned ASC through the IO submits that the charge sheet has already been filed against the present petitioners only.
12. 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 the said FIR. Hence, to secure ends of justice, the FIR

bearing No. 17/2016, registered on 24.02.2016 against them with Police Station Crime (Women) Cell Nanak Pura, Special Police for Women and Children, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed.

13. The petition is disposed of accordingly.

14. DASTI.

VINOD GOEL, J.

SEPTEMBER 04, 2017/

“sandeep”