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

+ CRL.M.C. 4044/2016

MANUJ KHANA & ORS Petitioners
Through: Mr.Abhishek Yadav, Advocate

versus

STATE (NCT OF DELHI) & ANR Respondents
Through: Ms.Meenakshi Chauhan, APP for the
State with SI Vikrant PS Seemapuri
Respondent No.2 in person

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
09.10.2017

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1. The present petition has been filed by the Petitioners under Section 482 Cr.P.C. for quashing of FIR No.819/2013, under Sections 498-A/406/34 IPC & Section 4 of Dowry Prohibition Act, 1961 registered at P.S. Seema Puri, Delhi and the proceedings emanating therefrom against the petitioners.
2. Briefly stating the facts of the present case are that Respondent No.2 was got married to Petitioner No.1 on 11th June, 2009 at Lemon Tree Hotel situated at EDM Mall, Kaushambi, Ghaziabad according to Hindu rites and ceremonies. It is further mentioned in the petition that due to temperamental and other differences, the Petitioner No.1 and Respondent No.2 could not live together. They started living separately since 18th July, 2012. On 12th December, 2013, Respondent No.2 filed a complaint to the CAW Cell, Nand Nagri, Delhi against the Petitioners, on the basis of which FIR in question

was registered.

3. It is mentioned in the petition that during the pendency of above proceeding, the matter was referred to Mediation Centre where parties arrived at an amicable settlement. It has been stated in the petition that the parties have settled the matter before the Delhi High Court Mediation and Conciliation Centre and copy of the said settlement dated 21st August, 2014 has been placed on record as Annexure-P2.

4. It is also mentioned in the petition that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent vide order dated 12th January, 2016 passed by the Principal Judge, Family Court, Shahdara, Karkardooma Courts, Delhi. The copy of the decree sheet dated 12th January, 2016 has been annexed with the petition as Annexure P3.

5. In terms of full and final settlement arrived at between the parties, today learned counsel for the Petitioners has handed over to Respondent No.2 a demand draft for a sum of ₹ 1,40,000/-.

6. Respondent No.2 is present in person and submits that she has settled the matter with the Petitioners and in terms of said settlement, today she has received a Demand Draft for a sum of ₹ 1,40,000/- from the Petitioners. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

7. The FIR registered against the present Petitioners is for committing the offences punishable under Sections 498-A/406/34 IPC. Offence punishable under Section 498-A IPC is a non-compoundable offence.

8. In view of the legal position laid down in ***Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257*** and amicable settlement arrived at between the parties, I am of the considered view that no useful purpose

would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

9. Accordingly, in terms of the settlement case FIR No.819/2013, under Sections 498-A/406/34 IPC & Section 4 of Dowry Prohibition Act, 1961 registered at P.S. Seema Puri, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti, as prayed.

PRATIBHA RANI, J.

OCTOBER 09, 2017

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