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

+ CRL.M.C. 2127/2015, CRL.M.A.Nos.7564/2015, 1491/2016 & 16002/2017

RAGHAV LAL

..... Petitioner

Through: Mr.Dayan Krishan, Sr.Advocate with
Mr.Sanjay Abbot, Mr.Ankit Agarwal,
Mr.Tarang Gupta & Ms.Sanjeevi
Seshadri, Advocates with petitioner in
person

versus

STATE

..... Respondent

Through: Mr.Kamal Kumar Ghai, APP for the
State with SI Kishore Prasad
PS Greater Kailash

AND

+ CRL.M.C. 3978/2017 & CRL.M.A.No.16047/2017

RAGHAV LAL & ORS.

..... Petitioners

Through: Mr.Dayan Krishan, Sr.Advocate with
Mr.Sanjay Abbot, Mr.Ankit Agarwal,
Mr.Tarang Gupta & Ms.Sanjeevi
Seshadri, Advocates with petitioners
No.1 and 2 in person

versus

STATE & ANR.

..... Respondents

Through: Mr.Kamal Kumar Ghai, APP for the
State with SI Kishore Prasad
PS Greater Kailash
Ms.Ruby Singh Ahuja & Mr.Shravan
Sahny, Advocates for R-2 with R-2 in
person

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CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
31.10.2017

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1. By way of these petitions filed under Section 482 Cr.P.C., the petitioners are seeking quashing of case FIR No.185/2013, under Sections 498-A/406/34 IPC registered at P.S. Greater Kailash-1, Delhi and the consequential proceedings arising therefrom i.e. the order dated 17th September, 2014 whereby the learned Metropolitan Magistrate after recording the statement of the process server declared the petitioner No.1, Raghav Lal an absconder and the letter dated 26th November, 2013 written by DCP, South West District, Delhi to the Deputy Director of Bureau of Immigration, R.K.Puram for opening a Look Out Circular against the petitioner No.1, Raghav Lal.

2. Briefly stating the facts of the present case are that Respondent No.2 got married to Petitioner No.1 on 1st November, 2012 at Indian consulate at Dubai. Their marriage was also performed accordingly to Hindu rites and ceremonies on 28th November, 2012 at Agra. On 29th May, 2013, Respondent No.2 filed a complaint against the Petitioners at CAW Cell, South East District, Delhi on the basis of which FIR in question was registered.

3. Respondent No.2 also filed a complaint under Section 12 of the Protection of Women from Domestic Violence Act on 3rd August, 2013. It has been further stated in the petitions that the parties have settled the matter before the Delhi High Court Mediation and Conciliation Centre and copy of the said settlement dated 17th September, 2016 has been annexed with the

petition being CRL.M.C. 3978/2017 as Annexure-P-6 as per which the respondent No.2/wife was to be paid ₹ 1.5 crores at different stages mentioned therein.

4. It is also mentioned in the petitions that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent vide order dated 24th July, 2017 passed by the Principal Judge, Family Court, South-East District, Saket Courts, Delhi.

5. Petitioner Nos.1 and 2 are present today along with their counsel. 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 the balance amount of ₹ 50 lakhs which was to be paid at the stage of quashing of case FIR No.185/2013, under Sections 498-A/406/34 IPC registered at P.S. Greater Kailash-I, Delhi.

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 the balance amount vide Demand Draft for a sum of ₹ 50 lakhs 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

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time of the Court.

9. Accordingly, in terms of the settlement case FIR No.185/2013, under Sections 498-A/406/34 IPC registered at P.S. Greater Kailash-I, Delhi and consequential proceedings arising therefrom i.e. order dated 17th September, 2014 declaring the petitioner No.1, Raghav Lal an absconder and the letter dated 26th November, 2013 written by DCP, South West District, Delhi to the Deputy Director of Bureau of Immigration, R.K.Puram for opening a Look Out Circular against the petitioner No.1, Raghav Lal are hereby quashed.

Order dasti, as prayed.

OCTOBER 31, 2017

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PRATIBHA RANI J.