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

+ CRL.M.C. 3508/2016

SUDHIR KUMAR & ORS.

..... Petitioners

Through: Mr.Vikas Bhadwaj, Advocate with
the petitioners in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with ASI Mahender Singh, P.S.
Neb Sarai, New Delhi.
Mr.M.U.Haq, Advocate for R2 with
R2/complainant in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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28.02.2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioners for quashing of FIR No.91/2013, under Sections 498-A/406/34 IPC, registered at P.S. Neb Sarai, New Delhi.

Learned counsel for the petitioners submits that the petitioner No.1 Sudhir Kumar was the husband, petitioner No.2 Smt. Shakuntala was the mother-in-law and petitioner No.3 Subhash Chand was the father-in-law of the respondent No.2. Counsel for the petitioners further submits that the marriage between the petitioner No.1 Sudhir Kumar and the respondent No.2/complainant Deepa Kumari was solemnized on 11.07.2008 according to Hindu rites and ceremonies and out of the said wed lock, a male child namely Mayank was born. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted into the

registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, Saket Courts, New Delhi on 23.01.2016. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 20.05.2014 passed by the Principal Judge, Family Court, Saket Courts, New Delhi. Counsel further submits that nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the present petitioners and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant is present in Court today and has been identified by the Investigating Officer, ASI Mahender Singh, P.S. Neb Sarai, New Delhi and is also represented by her counsel Mr.M.U.Haq, Advocate. The complainant admits that the matter has been amicably settled with the petitioners before the Mediation Centre, Saket Courts, New Delhi on 23.01.2016 and the said settlement arrived at with the petitioners is voluntary and without any force, pressure or coercion. She further admits that she has received all due amounts from the petitioners and nothing remains due and to be paid to her by the petitioners. She further submits that their marriage has already been dissolved by mutual consent by a decree of divorce dated 20.05.2014 passed by the Principal Judge, Family Court, Saket Courts, New Delhi and she has no objection, if the FIR in question is quashed.

Keeping in view the facts and circumstances of the case and the fact

that the matter has been amicably settled between the parties and nothing further remains to be adjudicated between them and that the marriage between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 20.05.2014, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same.

Consequently, FIR No.91/2013, under Sections 498-A/406/34 IPC, registered at P.S. Neb Sarai, New Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is disposed of accordingly.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

FEBRUARY 28, 2017
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