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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3188/2017
ANKUR SHARMA & ANR

..... Petitioners

Through: Mr.N.K.Upadhyay and
Mr.S.P.Pandey, Advocates with the
petitioners in person.

versus

STATE (GOVT OF NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI
Mr.Vivekanand Jha, Advocate for R2
with R2/complainant in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
17.08.2017

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CRL.M.A.13153/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.A.13154/2017 (condonation of delay in re-filing)

This is an application under Section 482 Cr.P.C. filed on behalf of the petitioners for condonation of delay in re-filing the present petition.

For the reasons stated in the application, the delay in re-filing the petition is condoned.

Application stands disposed of.

CRL.M.C. 3188/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.330/2011, under Sections 498-A/406/34 IPC, registered at Police Station Mianwali Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Ankur Sharma got married with the respondent No.2 Smt. Megha Sharma on 17.11.2010 as per Hindu rites, customs and ceremonies. Counsel further submits that after the marriage, a misunderstanding has arisen between the parties, which resulted into the registration of aforesaid FIR against the petitioners. Counsel further submits that after the registration of the FIR, the near relatives and the friends intervened and the matter has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, District Courts, Tis Hazari, Delhi on 02.12.2013. Counsel further submits that the terms of the said settlement have been acted upon between the parties and all payments in terms of the said settlement have been paid by the petitioners to the respondent No.2 and the last instalment amounting to Rs.50,000/- has also been paid to her by the petitioners vide demand draft bearing No.001418 dated 09.08.2017 drawn on IDBI Bank in favour of Ms.Megha Sharma, respondent No.2 and nothing further remains to be paid to her. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 12.01.2015 passed by the Principal Judge, Family Courts, Central Distt. Tis Hazari Courts, Delhi and nothing further remains to be adjudicated between the parties, however, the

present FIR is coming as hurdle in the peaceful life of the petitioners and submits that the FIR and all subsequent proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Smt. Megha Sharma is present in Court today and has been identified by SI Bhawani Shankar, P.S. Mianwali Nagar, Delhi and also represented by her counsel. The respondent No.2/complainant admits the factum of amicable settlement with the petitioners and execution of settlement agreement dated 02.12.2013 before the Mediation Centre, Tis Hazari Courts, Delhi. She further submits that the said settlement has been acted upon between them and she has received all due amounts as per settlement from the petitioners and nothing further is to be received by her from them. She further admits that her marriage with the petitioner No.1 has already been dissolved vide judgment and decree dated 12.01.2015 passed by the Principal Judge, Family Courts, Central Distt. Tis Hazari Courts, Delhi and nothing further remains to be adjudicated between them and she has no objection if the FIR in question is quashed.

Looking into the above facts and circumstances, since the matter in dispute has been amicably settled between the parties and the same has been reduced into writing before the Mediation Centre, District Courts, Tis Hazari, Delhi on 02.12.2013 and the same has been acted upon between the parties and the respondent No.2 has received all due amounts as per settlement from the petitioners and nothing further is to be received by her from them and the marriage of the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 12.01.2015 passed by the Principal Judge, Family Courts, Central Distt. Tis Hazari Courts, Delhi and nothing further remains to be adjudicated between them,

to have peace in the life of both the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and all proceedings arising therefrom.

Consequently, FIR No.330/2011, under Sections 498-A/406/34 IPC, registered at Police Station Mianwali Nagar, Delhi and all the proceedings emanating therefrom are hereby quashed. Parties shall remain bound by the terms of settlement dated 02.12.2013.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 17, 2017

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