

\$~50

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

+ CRL.M.C. 2121/2017

SURAJ SINGH BHARARA & ORS. Petitioner
Through: Mr.Inderjeet Singh, Adv.

versus

STATE (GOVT OF NCT DELHI) & ANR Respondents
Through: Mr.Izhar Ahmad, APP for State
Mr.Harsh Kumar, Adv. for R-2
S.I. Ramvir Singh

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **23.05.2017**

Learned counsel for the petitioner submits that the petitioner wants to amend the memo of parties by arraying the petitioner Nos.2 & 3. The prayer is allowed. Amended memo of parties is taken on record.

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.288/2016, under Sections 498-A/406/34 IPC, registered at P.S. Ghazipur and all the subsequent proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 27.04.2009 as per Hindu rites and ceremonies. Counsel further submits that subsequently misunderstanding between the parties has 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 before the Mediation Centre, Karkardooma Courts which has been reduced into writing vide Settlement Deed dated 20.08.2016. He further submits that their marriage has already been dissolved vide judgment and decree dated 27.03.2017 granted by the Principal Judge, Family Court, Vishwas Nagar, Karkardooma, Delhi. He further submits that as per the settlement, the last amount due to be paid to the respondent No.2 is Rs.1,75,000/- and the same has been paid today by way of demand draft bearing No.095552, amounting to Rs.1,75,000/-, dated 11.05.2017, drawn on State Bank of India and that nothing remains to be adjudicated upon further. He also submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioner No.1 and the respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between them, 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, S.I. Ramvir Singh. The complainant submits that the matter has been amicably settled with the petitioners. She further submits that as per the terms of settlement she has received last instalment of Rs.1,75,000/- by way of aforementioned demand draft. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits that their marriage has already been dissolved and that 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 also the

marriage between the petitioner No.1 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce, it is in their interest to lead their independent and peaceful life in future.

Consequently, the FIR No.288/2016, under Sections 498-A/406/34 IPC, registered at P.S. Ghazipur and all proceedings arising out of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

MAY 23, 2017/km