

\$~67

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2093/2017
AMIT DADLANI & ORS Petitioners
Through: Mr.Amandeep Singh, Adv.

versus

STATE & ANR Respondents
Through: Mr.Kamal Kr. Ghei, APP for State
SI Prabhash, PS-Karol Bagh
Mr.G.S.Narula, Adv. with Mr.Sarwar,
Adv. for R-2.

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

ORDER
% **22.05.2017**

Crl. M.A. 8612/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 2093/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.249/2013, under Sections 498-A/406/34 IPC, registered at Police Station-Karol Bagh, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr.Amit Dadlani got married with respondent No.2, Ms.Kanak @ Seema Dadlani on 10.07.2011 according to Hindu rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have

amicably settled all their disputes and differences in Counselling Cell, Family Courts (south East), Saket, New Delhi vide settlement deed dated 03.08.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 03.05.2017 granted by the Principal Judge , Family Courts, Saket, New Delhi. He further submits that all disputes have been amicably settled between the parties and Rs.2,00,000/- is lying in the form of FDR in the Court of Ms.Manu Vedwan, Mahila Court, Tis Hazari Courts, Delhi which is to be released in favour of respondent No.2. He further submits that nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners 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, Ms.Kanak @ Seema Dadlani is present in Court today and has been identified by the Investigating Officer, SI Prabhash, PS-Karol Bagh, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners. She further submits that Rs.2,00,000/- is lying in the form of FDR in the Court of Ms.Manu Vedwan, Mahila Court, Tis Hazari Courts, Delhi which is to be released in her favour. She further submits that she has no claim or grievance left against the petitioners. 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 by mutual consent by a decree of divorce 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 also the marriage between the petitioner No. 1, Mr.Amit Dadlani and respondent No.2, Ms.Kanak @ Seema Dadlani has already been dissolved by mutual consent by a decree of divorce dated 03.05.2017, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.249/2013, under Sections 498-A/406/34 IPC, registered at Police Station-Karol Bagh, Delhi and all proceedings arising of the same are hereby quashed. Parties to remain bound by the terms of settlement dated 03.08.2016.

Trial Court to release the aforesaid FDR with accrued interest in favour of respondent No.2, Ms.Kanak @ Seema Dadlani; on moving appropriate application.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

MAY 22, 2017/sr