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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 2066/2017
PRAMOD KUMAR & ANR Petitioners
Through Mr.Vineet Jindal, Adv.

versus

STATE & ANR Respondents
Through Mr.Kamal Kr. Ghei, APP for State
S.I Jasmer Singh, P.S. Jagangir Puri
Ms.Purti Agarwal, Adv. for R-2

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

ORDER
% **22.05.2017**

Crl. M.A. 8495/2017

Exemption allowed subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 2066/2017

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.222/2005, under Sections 498-A/406/34 IPC, registered at P.S. Jahangir Puri 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 05.03.2002 as per Hindu rites and ceremonies at Delhi and out of the said wedlock one female child namely Kajal was born on 28.07.2003. He further submits that the said child is right now in custody of respondent No.2. 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, Rohini District Courts, Delhi vide Settlement dated 17.03.2016. He further submits that their marriage has been dissolved vide judgment and decree dated 30.01.2017 granted by the Principal Judge, Family Court, North-West, Rohini, Delhi. He further submits that as per the settlement, all the due amount has been paid to the respondent No.2 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. Jasmer Singh. The complainant submits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received all dues from the petitioners. She further submits that her daughter namely Kajal shall remain in her custody. 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 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.222/2005, under Sections 498-A/406/34 IPC, registered at P.S. Jahangir Puri 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 22, 2017/km