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

+ **CRL.M.C. 2200/2017**

VISHAL @ AASHU & ORS

..... Petitioners

Through: Mr. Gulshan Kumar Sharma, Advocate
along with petitioners in person.

versus

THE STATE NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Tarang Srivastava, APP for the State
with SI Sandeep, PS South Rohini, Delhi. Mr.
R.K. Bachan, Advocate for R-2 and Respondent
No.2 in person.

+ **W.P.(CRL) 1643/2017**

VINOD & ORS

..... Petitioners

Through: Mr. R.K. Bachan, Advocate with along
with petitioners in person.

versus

STATE DELHI ADMIN & ANR

..... Respondents

Through: Ms. Rajesh Mahajan, ASC with
Mr.Sachin Gupta, Advocate with SI Sandeep PS
South Rohini, Delhi.
Mr. Gulshan Kr. Sharma, Advocate for R-2 along
with respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

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ORDER
21.09.2017

CRL.M.C. 2200/2017

1. Notice. Mr.Srivastava, learned APP for State accepts notice. Status report has already been filed.
2. Learned APP through the IO submits that the charge sheet has already been filed against the petitioners.
3. Notice to the respondent no. 2 also. The respondent No.2 appears in person and accepts the notice. She is represented by her counsel. She is duly identified by IO SI Sandeep.
4. The petitioner has approached this Court under Section 482 of the Code of Criminal Procedure, 1973 (in short Cr.P.C.) for quashing of the FIR bearing No.227/2015, registered on 16.03.2015 against them, with Police Station South Rohini, Outer District, Delhi under Sections 323/341/354/506/34 IPC on the complaint of respondent no.2.

W.P.(CRL) 1643/2017

5. This matter has been received on transfer by the orders of Hon'ble the Acting Chief Justice.
6. Notice. Mr. Mahajan, learned ASC for State accepts notice. Status report has already been filed.
7. Learned ASC through the IO submits that the charge sheet has already been filed against the petitioner no. 1 and 2. It is pointed out that the petitioner no.3 is a juvenile. During the investigation nothing incriminating was found against him.
8. Notice to the respondent no. 2 also. The respondent No.2 appears in

person and accepts notice. She is represented by her counsel. She is duly identified by SI Sandeep.

9. The petitioners have invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.225/2015, registered on 18.03.2015 against them with Police Station South Rohini, Outer District, Delhi, under Sections 354/354D/509/506/34 IPC on the complaint of respondent No.2.

CRL.M.C. 2200/2017 & W.P. (Crl.) 1643/2017

10. It is submitted that one Ms.Kirti, who is the daughter of petitioner no.1 Vinod is married to the brother of Ms.Savita, who is the respondent no. 2 in W.P. (Crl.) 1643/22017. There were some matrimonial disputes between Ms. Kirti D/o Sh. Vinod (the petitioner no.1) and Vikas, who is the brother of respondent no.2 Savita. They submit that both the FIRs are the offshoot of the matrimonial disputes between Ms.Kirti and Mr.Vikas.
11. Ms.Kirti, who is the daughter of Vinod filed a petition under Section 12 of The Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as the 'DV Act') against her husband Vikas (brother of respondent no.2 Ms.Savita) in the court of learned MM, Mahila Court, North-West District, Rohini Courts, Delhi.
12. On making a reference by the learned MM, Mahila Court, North-West District, Rohini, Delhi, all the parties appeared before the Delhi

Mediation Centre, Rohini Court, Delhi. On 17.09.2016, all the parties have amicably settled and resolved all their disputes. Ms.Kirti and Mr.Vikas had decided to part company of each other by obtaining a divorce by mutual consent. Mr.Vikas had agreed to pay Rs.1,20,000/- to Ms.Kirti in full and final settlement of all her claims. The respondent no. 2/complainant Ms.Seema in Crl.M.C. 2200/2017, and the respondent no.2/complainant Ms.Savita in W.P. (Crl.) 1643/2017 had agreed not to pursue their respective FIRs.

13. It is submitted that learned Principal Judge, Family Court, Rohini, Delhi had passed a decree of divorce on 21.08.2017 whereby the marriage between Ms.Kirti and Mr.Vikas was dissolved.
14. The respondent no. 2/Ms.Seema in Crl.M.C. 2200/2017 and the respondent no.2/Ms.Savita in W.P. (Crl.) 1643/2017 submit that in view of the settlement between the parties, they do not want to pursue the said FIRs. They submit that their respective FIRs may be quashed.
15. Since the parties had amicably settled all their disputes, no fruitful purpose would be served in further pursuing the said FIRs. (1) FIR bearing No.227/2015, registered on 16.03.2015 with Police Station South Rohini, Outer District, Delhi under Sections 323/341/354/506/34 IPC (2) FIR bearing No.225/2015, registered on 18.03.2015 with Police Station South Rohini, Outer District, Delhi, under Sections 354/354D/509/506/34 IPC and proceedings arising out of the said FIRs are hereby quashed.

16. Both the petitions are disposed of accordingly.
17. Order *Dasti*.

VINOD GOEL, J.

SEPTEMBER 21, 2017
"shailendra"