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

+ W.P.(CRL) 1550/2017

RAJAN ARORA & ORS. Petitioners
Through Mr. Rajeev Shukla, Advocate with
petitioners in person.

versus

THE STATE NCT OF DELHI & ANR Respondents
Through Mr. Siddarth Sindhu, Advocate for
Mr. Sanjay Lao, ASC for the State with SI Anju
Tyagi, P.S. Hari Nagar.
Mr. Aanchal Budhreja, Advocate for respondent
No.2 along with respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

ORDER
% **31.08.2017**

1. Status report has been filed.
2. Respondent no. 2 is present in person. She is being represented by her counsel. She is duly identified by the IO SI Anju Tyagi.
3. 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. 368/2016, registered on 14.04.2016 against them with Police Station Hari Nagar, Delhi, under Sections 498A/406 IPC on the complaint of respondent No.2.
4. The marriage of the petitioner no. 1 and the respondent no. 2 was solemnized on 16.05.2010 as per Hindu rites and ceremonies in Delhi.

However, out of this wedlock, no child was born.

5. The petitioner no.2 is the mother of petitioner No.1 and petitioner No.3 is the sister of petitioner No.1.
6. After solemnization of their marriage, the petitioner no. 1 and the respondent no. 2 started residing together in the matrimonial home. Due to some temperamental differences between the petitioner no. 1 and the respondent no. 2, they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home on 01.09.2015 and started living separately.
7. The respondent no. 2 lodged a complaint with CAW Cell which culminated into said FIR.
8. Subsequently, both the parties had arrived at a settlement on 01.09.2016. By this settlement, the petitioner no.1 and the respondent no. 2 had decided to part company of each other and obtain a decree of divorce by mutual consent. It had also been settled that the petitioner no. 1 shall pay a total sum of Rs.2,50,000/- to the respondent no. 2 in full and final settlement of all her claims including the maintenance and cost of dowry/*stridhan* articles.
9. Pursuant to this settlement, at the time of recording the statement of the parties in the first motion petition, a sum of Rs.75,000/- was paid by the petitioner no. 1 to the respondent no. 2. Further, a sum of Rs.75,000/- was paid by the petitioner No.1 to the respondent No.2 at the time of recording their statement in the second motion petition. A decree of divorce by mutual consent was awarded on 06.04.2017 by the court of learned Principal Judge, Family Court, West, Tis Hazari Courts, Delhi by which the marriage between the petitioner no. 1 and

the respondent no.2 was dissolved.

10. Today, the petitioner No.1 has paid the balance settlement amount of Rs.1,00,000/- by way of three separate Demand Drafts No.(i) 227659, dated 10.07.2017 for Rs.25,000/- issued by Bank of India, Tilak Nagar, Delhi (ii) No.503888 dated 14.07.2017 issued by ICICI Bank, Greater Kailash, New Delhi, for Rs.25,000/- and (iii) DD No.892089 dated 16.03.2017 issued by Indian Bank, Greater Kailash, New Delhi, for Rs.50,000/- to respondent No.2. She submits that she has received the entire settlement amount from the petitioner. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.
11. Learned counsel appearing on behalf of the State through the IO submits that the charge sheet has so far not been filed.
12. Both the parties submit that now nothing is due and recoverable by them against each other. The matter had been amicably settled between the parties and no purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 368/2016, registered on 14.04.2016 against them with Police Station Hari Nagar, Delhi, under Sections 498A/406 IPC and proceedings arising out of the said FIR are hereby quashed.
13. The petition is disposed of accordingly.
14. Order *DASTI*.

VINOD GOEL, J.

AUGUST 31, 2017/
"sandeep"