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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2137/2017

JASPAL SINGH & ORS

..... Petitioners

Through

Mr.Bharat Gupta, Adv. with
Mr.Varun Tyagi, Adv.

versus

STATE & ANR

..... Respondents

Through

Mr.Raghuvinder Varma, App for the
State
S.I. S.K. Gupta, P.S. Subzi Mandi
Mr.Karan Bir Singh, Adv. with
Mr.Gagan Preet Singh, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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24.07.2017

This is a petition under Section 482 Cr.P.C. moved by the petitioners for quashing of FIR No.77/2012, under Sections 468/471/34 IPC, registered at P.S. Subzi Mandi and all the subsequent proceedings emanating therefrom.

Learned counsel for the petitioners submits that the marriage between petitioner No.4 and the son of respondent No.2 was solemnized on 16.08.2009 as per Sikh rites and ceremonies. Counsel further submits that subsequently misunderstanding pertaining to the property dispute has arisen between the parties, as a result of which marriage dispute has also arisen and the same resulted into the registration of aforesaid FIR No.77/2012, under

Sections 468/471/34 IPC, P.S. Subzi Mandi. . He further submits that the opposite party has also registered an FIR No. 417/2011, under Sections 498-A/406/34 IPC, registered at P.S. Prashant Vihar He further submits that after the registration of the FIRs, the near relatives and close friends intervened and the matter has been amicably settled between the parties before Delhi High Court Mediation & Conciliation Centre which has been reduced into writing vide Settlement Deed dated 09.12.2015. He further submits that the marriage of petitioner No.4 and son of respondent No.2 has already been dissolved vide judgment and decree dated 17.11.2016 granted by the Principal Judge, Family Courts, Rohini (North), Delhi. He also submits that nothing remains to be adjudicated upon further between the parties. 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.4 and the son of respondent No.2 want to lead their independent and peaceful life in near future and since all disputes have been settled between the parties, the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2 is present in Court today and has been identified by the Investigating Officer, S.I. S.K. Gupta. The complainant submits that the matter has been amicably settled with the petitioners. She further submits that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. She further submits 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.4 and the son of 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.77/2012, under Sections 468/471/34 IPC, registered at P.S. Subzi Mandi and all proceedings arising out of the same are hereby quashed.

The present petition is allowed and disposed of accordingly.

Parties are bound by the terms of settlement dated 09.12.2015.

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

I.S.MEHTA, J

JULY 24, 2017/km