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

\+ W.P.(CRL) 1563/2017

SHIVSHANKAR SALUJA & ORS. ..... Petitioners

Through: Mr. Jayant Pawar, Advocate with petitioners in person.

versus

THE STATE NCT OF DELHI & ANR ..... Respondents

Through: Mr. Rajesh Mahajan, ASC for the State with SI Virender Kumar, P.S. KNK Marg, Delhi.
Mr. Ankit Sharma, Advocate along with respondent No.2 in person.

**CORAM:**
**HON'BLE MR. JUSTICE VINOD GOEL**

**O R D E R**

**% 04.09.2017**

1. Status report has been filed.

2. 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. 333/2015, registered on 25.03.2015 against them with Police Station KN Katju Marg, Outer District, Delhi, under Sections 498A/406/34 IPC read with Section 4 of Dowry Prohibition Act, 1961 on the complaint of respondent No.2.

3. Respondent No.2 accompanied by her mother has appeared in person. She is being represented by her counsel. She is duly identified by IO

SI Virender Kumar.

4. The marriage of the petitioner no.1 and the respondent no. 2 was solemnized on 18.11.2010 as per Hindu rites and ceremonies at Najibabad, District Bijnor. However, out of this wedlock, one female child namely Deepika was born on 05.12.2011.

5. 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 05.08.2011, when she was in the family way and started residing with her mother.

6. The respondent no. 2 lodged a complaint with CAW Cell which culminated into said FIR against the petitioners.

7. Later on, the parties had resolved and settled all their disputes on 13.09.2015. 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. The petitioner no.1 had agreed to pay a total sum of Rs.6,00,000/- to the respondent no. 2 in full and final settlement of all her claims including the maintenance and cost of dowry/*stridhan* articles. They have decided that the child shall remain in the custody of respondent. It is agreed that the petitioner shall not have any visitation rights.

8. Pursuant to this settlement, at the time of mediation, a sum of Rs.2,00,000/- was paid by the petitioner No.1 to the respondent No.2. Further, at the time of recording of the statement of the parties in the

first motion petition, a sum of Rs.1,00,000/- was paid by the petitioner no. 1 to the respondent no. 2. Further, a sum of Rs.2,00,000/- was paid by the petitioner No.1 to the respondent No.2 at the time of recording their statements in the second motion petition. A decree of divorce by mutual consent was awarded on 22.03.2017 by the court of learned Principal Judge, Family Courts, North District, Rohini Courts, Delhi by which the marriage between the petitioner no. 1 and the respondent no.2 was dissolved.

9. Today, the petitioner No.1 has paid the balance settlement amount of Rs.1,00,000/- vide DD No.797074 dated 30.08.2017 issued by Punjab National Bank, Chowk Najibabad (Bijnor), U.P. in favour of respondent No.2, which has been accepted by her. The respondent no. 2 submits that she has received the entire settlement amount from the petitioner No.1. The respondent No.2 states that she had voluntarily resolved all disputes with the petitioners without any coercion or force. She submits that she does not want to pursue the said FIR. She submits that the said FIR may be quashed.

10. Learned ASC through the IO submits that the charge sheet has already been filed against all the present petitioners.

11. 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 fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No. 333/2015, registered on 25.03.2015 with Police Station KNK Katju Marg, Outer District, Delhi, under Sections 498A/406/34 IPC read with Section 4 of Dowry Prohibition Act, 1961 and

proceedings arising out of the said FIR are hereby quashed.

12. The petition is disposed of accordingly.

13. DASTI.

**VINOD GOEL, J.**

**SEPTEMBER 04, 2017/**
***"sandeep"***