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

+ CRL.M.C. 3718/2016

VIVEK SHARMA & ANR

..... Petitioners

Through: Mr. Mandeep Singh Vинаik, Adv.
with Ms. Anjali Sharma Adv. and
Mr. Deepak B, Adv.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr. J.S. Manhas, Adv. with R-2, Mr.
Kamal Kumar Ghei, APP for the State
with S.I Vikram, P.S. Greater
Kailash, Delhi

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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17.08.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.440/2014, under Sections 498-A/406/34 IPC, registered at Police Station-Greater Kailash, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr. Vivek Sharma got married with respondent No.2, Ms. Chandni Prashar on 20.01.2010 according to Hindu rites and customs. He further submits that due to temperamental differences and misunderstanding arisen between them, the marital relations between them could not proceed further but consequently with the help of near relatives and close friends, they have amicably settled all their disputes and differences. He has further submitted that while hearing the Bail Application No. 2615 of 2014 filed by the

petitioners, on intervention of the Hon'ble High Court, the marital dispute between parties have been mutually settled. He has further submitted that the marriage between the parties has also been dissolved by mutual consent by a decree of divorce dated 10.06.2016 granted by the Principal Judge (South-East), Family Courts, Saket, New Delhi. He further submits that all disputes have been amicably settled between the parties and nothing remains to be adjudicated upon further and submits that the FIR in question is coming as hurdle in the way of the present petitioners. He further submits that the petitioners 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, Ms. Chandni Prashar is present in Court today and has been identified by the S.I Vikram, P.S. Greater Kailash, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received Rs.10,00,000/- (Rupees Ten Lakhs Only) from the petitioners and nothing remains due against the petitioners. 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, Mr. Vivek Sharma and respondent

No.2, Ms. Chandni Prashar has already been dissolved by mutual consent by a decree of divorce dated 10.06.2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.440/2014, under Sections 498-A/406/34 IPC, registered at Police Station-Greater Kailash, Delhi and all proceedings arising of the same are hereby quashed. The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

AUGUST 17, 2017/sr