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

+ W.P.(CRL) 1605/2017

RAJEEV CHABRA & ORS

..... Petitioners

Through: Mr. J.P. Malviya, Advocate with
petitioner no.1 in person.

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Rajesh Mahajan, ASC with
Mr.Sachin Gupta, Advocate with ASI Lakhan, PS
Roop Nagar, Delhi.
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **22.09.2017**

1. Status report has been filed.
2. Respondent no. 2 appears in person. She is duly identified by IO ASI Lakhan.
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.45/2007, registered on 30.01.2007 against them with Police Station Roop Nagar, North District, Delhi, under Sections 498A/406/34 IPC on the complaint of respondent No.2.
4. The marriage of the petitioner no.1 with the respondent no. 2 was solemnized on 26.01.2004 as per Hindu rites and ceremonies in Delhi. Out of this wedlock one male child namely Aryan Chhabra was born

on 10.11.2005.

5. The petitioner no.2 is the mother of the petitioner no.1. The petitioner no.3 is the brother of the petitioner no.1 and petitioner no. 4 is the wife of petitioner no.3.
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 and started residing separately.
7. The respondent no.2 lodged a complaint with CAW Cell which culminated into said FIR against the petitioners. The respondent No.2 preferred a petition u/s 125 of Cr.P.C. for maintenance against the petitioner No.1 before the learned MM, Tis Hazari Courts, Delhi. Later on, it was transferred to the court of learned Principal Judge, Family Courts, Tis Hazari, Delhi.
8. The parties have amicably resolved and settled all their disputes before the learned Mediator, Delhi High Court Mediation and Conciliation Centre on 11.09.2017. Settlement agreement has been received from the Mediation Centre. It is agreed between the petitioner no.1 and the respondent no. 2 that the petitioner no. 1 shall pay the outstanding amount of maintenance of Rs.5,00,000/- in terms of order dated 06.12.2010 passed by learned MM. The petitioner no.1 had also agreed that he shall continue to pay the maintenance @ Rs.15,000/- per month to the respondent no. 2 in terms of the order dated 06.12.2010 passed by the learned MM in the proceedings under

Section 125 of Cr.PC. It is also agreed that in case the petitioner no. 1 does not make compliance of the terms and conditions of the settlement, the respondent no. 2 shall be at liberty to get the proceedings under Section 125 of Cr.PC revived before the concerned court.

9. The respondent No.2 states that she had voluntarily settled and resolved all disputes with the petitioners without any force and coercion. 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 IO submits that the charge sheet has already been filed.
11. Since the parties have amicably settled all their disputes, no fruitful purpose would be served in further pursuing the said FIR. Hence, to secure ends of justice, the FIR bearing No.45/2007, registered on 30.01.2007 with Police Station Roop Nagar, North District, Delhi, under Sections 498A/406/34 IPC and proceedings arising out of the said FIR are hereby quashed.
12. The parties shall remain bound by the terms and conditions of the mediation settlement dated 11.09.2017.
13. The petition is disposed of accordingly.
14. *DASTI.*

VINOD GOEL, J.

SEPTEMBER 22, 2017

"shailendra"