

\$~14

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3947/2016
ASHOK KUMAR & ANR.

..... Petitioners

Through: Petitioners in person.

versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through: Mr.Izhar Ahmad, APP for State with
SI Rajender Singh, P.S Malviya
Nagar, New Delhi.
Respondent No.2 in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
22.03.2017

%

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.197/2012, under Sections 498-A/406/34 IPC, registered at Police Station Malviya Nagar, New Delhi and all the proceedings emanating therefrom.

The petitioners Ashok Kumar and Smt. Bhagwan Devi @ Bhawna are present in person and submits that the marriage between the younger brother of the petitioner No.1, namely, Mahinder Singh and respondent No.2 Jyoti was solemnized on 03.02.2005 according to Hindu rights and customs and out of the said wedlock, one male child was born. The petitioners further submit that after the marriage, due to temperamental differences, misunderstanding had arisen between the petitioner No.1 and the respondent No.2, which resulted into registration of the aforesaid FIR.. Petitioners

further submit that subsequently with the help and intervention of the near relatives and close friends, the dispute has been amicably settled before the Delhi High Court Mediation and Conciliation Centre on 28.09.2012 and the marriage of respondent No.2 with her husband has also been dissolved. The petitioners, present in person, further submit that the FIR in respect of the remaining accused persons, namely, Mahinder Singh (husband), Shri Nepal Singh (brother-in-law) and Sri Ram Chander (father-in-law) has already been quashed by this Court vide order dated 08.10.2013 passed by the Bench of Hon'ble Mr.Justice Sunil Gaur in CrI.M.C.No.4264/2013 and submit that the FIR may also be quashed qua against them in view of the amicable settlement reached between the parties. They further submit 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 and pray that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms.Jyoti is present in Court today and has been identified by the Investigating Officer, SI Rajender Singh, P.S. Malviya Nagar, New Delhi. The respondent No.2/complainant also admits that the matter has been amicably settled with the petitioners, who are her brother-in-law and sister-in-law. 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 her 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 that the marriage of the respondent No.2 Jyoti with her husband Mahinder has already been dissolved by mutual consent by a decree of divorce, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the FIR and subsequent proceedings arising out of the same.

Consequently, FIR No.197/2012, under Sections 498-A/406/34 IPC, registered at Police Station Malviya Nagar, New Delhi and all the proceedings emanating therefrom are hereby quashed.

The present petition is allowed and disposed of accordingly.

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

I.S.MEHTA, J

MARCH 22, 2017

'dc'