

\$~43 & 61

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(CRL) 1969/2017**

**YASHPAL CHAUDHARI @ MOHIT** ..... Petitioner  
Through: Mr. Harish Pandey, Adv.

Versus

**STATE OF NCT OF DELHI & ANR** ..... Respondents  
Through: Mr. Rajesh Mahajan, ASC for State  
with SI Amit Kumar and HC Pawan  
Shree of P.S. Mehrauli.  
Respondent no.2 in person.

AND

**W.P. (CRL.) 1967/2017**  
**YASHPAL CHAUDHARI @ MOHIT & ORS.** ..... Appellants  
Through: Mr. Harish Pandey, Adv.

Versus

**STATE OF NCT OF DELHI & ANR.** ..... Respondents  
Through: Mr. Rajesh Mahajan, ASC for State  
with SI Amit Kumar and HC Pawan  
Shree of P.S. Mehrauli.  
Respondent no.2 in person along with  
her sister-Ms. Ruby Chaudhary.

**CORAM:**  
**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**  
% **14.07.2017**

By these writ petitions, it is prayed that following two FIRs, details  
whereof are as under, may be quashed:-

- a) FIR No. 1067/2014 under Sections 323/354/506/509 IPC registered at Police Station Mehrauli on the complaint of respondent no.2.
- b) FIR No. 1905/2014 under Sections 498A/406/34 IPC registered at Police Station Mehrauli on the complaint of respondent no.2.

On the oral prayer made by the learned counsel for the petitioners, Ms. Rubi Chaudhary and Mrs. Asha Rani, who are sister and mother of respondent no.2 respectively, are impleaded as respondent nos. 3 and 4 respectively in W.P. (Crl.) 1969/2017. Amended memo of parties be filed during course of the day.

It is submitted that Yashpal Chaudhari @ Mohit (petitioner) and Rekha Rani (respondent no.2) were married on 30<sup>th</sup> April, 2012 as per Hindu rites and ceremonies. On account of marital discord between them they started living separately from September, 2013. On the complaint of respondent no.2, above-mentioned FIRs were registered against the petitioner and his relatives, that is, petitioner nos. 2 to 5 in W.P. (Crl.) 1967/2017. Respondent no.2 had also filed a petition under Section 125 Cr.P.C. in the Family Courts, Saket, New Delhi. Before the Counselling Cell of Family Courts, Saket, petitioner and responded no.2 have settled their disputes amicably.

Respondent no.2 is present in Court and has been identified by SI Amit Kumar of police station Mehrauli. She admits having settled the matter in both the above-referred FIRs with the petitioners. She submits that her marriage with the petitioner has already been dissolved by a decree of divorce by mutual consent passed by the Family Courts, South, Saket Court on 27<sup>th</sup> October, 2016. She further submits that she is not willing to pursue the FIR any further in view of the settlement arrived between her and the petitioners and the same may be quashed. Petitioner has paid ₹1 lac to the respondent no.2 vide two demand drafts, photocopies whereof have been placed on record. Respondent no.2 submits that with this payment entire settled amount stands paid.

Ms. Ruby Chaudhary (respondent no.3 in W.P. (C) 1969/2017) is also present in Court. She submits that she is appearing for herself and also on behalf of her mother-Asha Rani (respondent no.4). She submits that they are also not willing to pursue the criminal proceedings arising out of FIR No. 1067/2014 in view of the settlement arrived at between the respondent no.2 and petitioner and the same may be quashed.

Keeping in mind that both the FIRs are outcome of a marital discord between the petitioner and respondent no.2 which disputes they have already

settled, inasmuch as, their marriage has also been dissolved, in my view, no fruitful purpose would be served in keeping the present criminal proceedings pending. Accordingly, in the interest of justice, both the above-referred FIRs, which are at the investigation stage, are quashed.

Both the writ petitions are disposed of in the above terms.

**A.K. PATHAK, J.**

**JULY 14, 2017**

ga

**Crl. M.C. 402/2017**

Statement of Ms. Praveen D/o Late Bundu Khan, Aged 37 years, R/o 253, Panchsheel Complex, Shahpur Jat, New Delhi.

On S.A.

I have settled the matter with the petitioners, that is, Aas Mohd., Taj Mohd., Jamila and Shama in Crl. M.C. 402/2017. I have settled the matter with the petitioners of my own free will and without any undue force, pressure or coercion. In view of the settlement, I am not inclined to pursue the FIR No. 729/2000 under Sections 406/498-A/34 IPC of police station Hauz Khas and the same may be quashed.

RO&AC

**A.K. PATHAK, J.**

**JULY 14, 2017**

ga