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

+ CRL.M.C. 2739/2017

C KESHVAN

..... Petitioner

Through: Mr.K.Paari Vendhan, Adv. with
Mr.K.Malar Vendhan and Ms.Tanuja
Rawat, Advs.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Raghuvinder Varma, APP for
State with SI Yashvir Kumar, PS-
Sarojini Nagar
Mr.Narendra Gautam, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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13.09.2017

CRL.M.A.11309/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2739/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.444/2006, under Sections 498-A/406 IPC, registered at Police Station-Sarojini Nagar, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner, Mr.C. Keshvan got married with respondent No.2, Ms.T. Jamuna Rani on 13.11.2005 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 vide Memorandum of Settlement dated 13.07.2017 and their marriage has also been dissolved by a decree of divorce dated 23.01.2010 granted by the ADJ-02 (Central), Tis Hazari Courts, 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 petitioner. He further submits that the petitioner 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.T. Jamuna Rani is present in Court today and has been identified by the Investigating Officer, SI Yashvir Kumar, PS-Sarojini Nagar. The complainant also admits that the matter has been amicably settled with the petitioner and as per the terms of settlement, she has already received Rs.4,00,000/- (Rupees Four Lakhs Only) from the petitioner and nothing remains due against the petitioner. She further submits that she has no claim or grievance left against the petitioner. 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 a decree of divorce and she has no objection if the FIR in question is quashed. She further submits that she has no objection if the petitioner is allowed to withdraw Rupees One Lakh along with interest whatsoever accrued in the Fixed Deposit that was deposited in the Trial Court through an order of Hon'ble High Court of Delhi dated

02.04.2017 in Bail Application No.4785/2006.

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 and respondent No.2, Ms.T. Jamuna Rani has already been dissolved by a decree of divorce dated 23.01.2010, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.444/2006, under Sections 498-A/406 IPC, registered at Police Station-Sarojini Nagar, Delhi and all proceedings arising of the same are hereby quashed.

Trial Court to release the FDR with accrued interest, if any, in favour of petitioner; on moving appropriate application.

The present petition is allowed and disposed of accordingly.

Copy of this order be given *dasti*.

I.S.MEHTA, J

SEPTEMBER 13, 2017/RV