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

+ CRL.M.C. 2762/2017

SATVINDER SINGH & ANR. Petitioners

Through: Mr.Samama Suhail, Adv. with
Mr.Osama Suhail, Adv.

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr.Panna Lal Sharma, APP for State
SI Rahul Kumar, PS-Jagatpuri

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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20.07.2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.188/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Jagatpuri, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 got married with respondent No.2 on 25.04.2010 according to Sikh rites and customs and out of the said wedlock one girl child namely Kirat Kaur was born on 15.01.2012 who is in the custody of her mother i.e. respondent No.2. 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 compromise deed dated 19.02.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated

17.03.2017 granted by the Principal Judge, Family Courts, Shahdara, Karkardooma 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 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.Savneet Kaur is present in Court today and has been identified by the Investigating Officer, SI Rahul Kumar, PS-Jagatpuri, 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.7,50,000/- (Rupees Seven Lakh Fifty Thousand Only) from the petitioners and nothing remains due from the petitioners. She further submits that her daughter namely Kirat Kaur shall remain in her custody. 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 and respondent No.2 has already been dissolved by mutual consent by a decree of divorce dated 17.03.2017 and also the custody of minor daughter namely Kirat Kaur is in the custody of

natural guardian i.e. respondent No.2, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.188/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Jagatpuri, 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

JULY 20, 2017/sr