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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2879/2017**
DEVENDER KUMAR SHARMA @ MONU & ORS

..... Petitioners

Through: Mr.Brijesh Tomar, Advocate with the
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Panna Lal Sharma, APP for State
with ASI Jaiveer Singh, P.S. Khajuri
Khas, Delhi.
Mr.Harish Kumar Lodhi, Advocate
for R2 with R2/complainant in
person.

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

ORDER
27.07.2017

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CRL.M.A.11954/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 2879/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.256/2011, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Khajuri Khas, Delhi and all proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the petitioner

No.1 Devender Kumar Sharma @ Monu got married with the respondent No.2 Smt. Savita on 24.11.2007 as per Hindu rites and customs at Delhi and out of the said wedlock, a male child namely Yash was born on 11.05.2009. Counsel further submits that after the birth of the child, a misunderstanding had arisen between the parties, which resulted into registration of the aforesaid FIR against the petitioners. Counsel further submits that after the registration of the FIR, the near relatives and the friends intervened and the matter has been amicably settled between the parties and in terms of the said settlement, the respondent No.2 along with her minor son has joined her matrimonial home for more than three years and now she is living together with her husband happily and peacefully. Counsel further submits that since the matter has been amicably settled between the parties and the respondent No.2 has joined her matrimonial home and living together with her husband happily and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of the parties, and prays that the FIR and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant Smt. Savita is present in Court in person and has been identified by the Investigating Officer ASI Jaiveer Singh, P.S. Khajuri Khas, Delhi and also represented through counsel. The respondent No.2 present in person admits the factum of amicable settlement with the petitioners and submits that in terms of the said settlement she is now living together with her husband at her matrimonial home happily and peacefully and she is left with no grievance against the petitioners, as her husband Devender Kumar Sharma @ Monu (petitioner No.1) is keeping her and her son well and looking after them well till date and further submits

that she does not want any action qua against her husband (petitioner No.1) as well as other petitioners and further submits that she has no objection if the FIR in question is quashed.

Looking into the aforesaid facts and circumstances, since the matter has been amicably settled between the parties and the respondent No.2 along with her minor son has joined her matrimonial home and living together with her husband happily and peacefully and nothing further remains to be adjudicated between the parties, 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 all subsequent proceedings arising from the same.

Consequently, FIR No.256/2011, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, 1961, registered at Police Station Khajuri Khas, Delhi and all proceedings arising therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

JULY 27, 2017
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