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

+ **CRL.M.C. 3067/2017**

MANPREET SINGH & ORS

..... Petitioners

Through: Mr.Sunil Kr. Ojha, Adv.

versus

STATE OF NCT OF DELHI & ORS

..... Respondents

Through: Mr.Panna Lal Sharma, APP for State
SI Bharat, PS-Civil Lines
Mr.Hariom Arora, Adv.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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09.08.2017

CRL.M.A.12709/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3067/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.164/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Civil Lines, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr.Manpreet Singh got married with respondent No.2, Ms.Ishwar Kaur on 21.11.2009 according to Sikh rites and customs and out of the said wedlock one son namely Sukhleen Singh was born on 28.10.2010 who is in the custody of his mother i.e. respondent No.2, Ms.Ishwar Kaur. 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 in Mediation Centre, Tis Hazari Courts, Delhi on 18.07.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 04.03.2017 in HMA No.264/2017 granted by the Principal Judge, Family Court, Central District, 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 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.Ishwar Kaur is present in Court today and has been identified by the Investigating Officer, SI Bharat, PS-Civil Lines, Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has received last instalment of rupees one lakh from the petitioners. She further submits that her son namely Sukhleen Singh 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, Mr.Manpreet Singh and respondent No.2, Ms.Ishwar Kaur has already been dissolved by mutual consent by a decree of divorce dated 04.03.2017 and also the custody of minor son namely Sukhleen Singh 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.164/2012, under Sections 498-A/406/34 IPC, registered at Police Station-Civil Lines, 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

AUGUST 09, 2017/sr