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

% *Date of Judgment: 09th August, 2017*

+ W.P.(CRL) 2206/2017

MANMOHAN SINGH RANDHAWA Petitioner

Through: Mr.Ravi Bhushan and
Mr.Y.K.Singh, Advs.

versus

STATE (NCT OF DELHI) & ANR Respondents

Through: Mr. Rajesh Mahajan, ASC for the
State along with SI Tej Singh, PS Mukherjee
Nagar, Delhi.

Respondent no. 2 in person with Mr. Rajeev
Sirohi, Adv.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

VINOD GOEL, J. (ORAL)

1. Status report has been filed. The respondent No.2 appeared in person. She is duly identified by the IO. She is being represented by her counsel.
2. The petitioner has invoked the writ jurisdiction of this court under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short 'Cr.PC') for quashing of the FIR bearing No.1020 of 2015 registered on the complaint of respondent No.2 on 02.08.2015 with Police Station Mukherji Nagar, Delhi, under Sections 498A/406 IPC.
3. The marriage of the petitioner and the respondent no. 2 was solemnized on 08.02.2011 as per Hindu rites and ceremonies.

However, out of this wedlock, no child was born.

4. After solemnization of their marriage, the petitioner and the respondent no. 2 started residing with each other in the matrimonial home. Due to some temperamental differences between the petitioner no. 1 and the respondent no. 2 they could not reconcile with each other. Resultantly, the respondent no.2 left the matrimonial home and started living with her parents.
5. The respondent no. 2 lodged a complaint with CAW Cell, which culminated into the said FIR against the petitioner.
6. Learned ASC through the IO submits that the charge sheet in the matter has so far not been filed.
7. The parties have amicably resolved all their disputes on 01.10.2016 by way of Compromise Deed. The parties have decided to part company of each other and obtain a decree of divorce by mutual consent. It has also been settled that the petitioner shall pay a total sum of Rs.11 lakh to the respondent no. 2 in full and final settlement of all her claims including the maintenance, cost of dowry articles and permanent alimony.
8. Pursuant to this settlement dated 01.10.2016, the petitioner has paid a sum of Rs.3 lakh at the time of recording the statement of the parties in first motion on 05.10.2016. The petitioner further paid a sum of Rs.3 lakh to respondent No.2 at the time of recording the statement of the parties in second motion on 25.04.2017. A decree of divorce by mutual consent was passed by the Additional Judge, Family Court, Dwarka, New Delhi on 25.04.2017 and the marriage of the petitioner and respondent

No.2 was dissolved.

9. Today the petitioner has handed over a Demand Draft to the respondent No.2 bearing No.555943 dated 03.08.2017 for Rs.4,30,633/- after adjusting the maintenance amount received by her from employer of petitioner as agreed. The draft has been accepted by the respondent No.2. The respondent No.2 submits that she has received the entire settlement amount from the petitioner. She further submits that she has settled the matter with the petitioner without any force and coercion. She submits that she does not want to pursue the present FIR. She submits that FIR may be quashed.
10. Both the parties submit that now nothing is due and recoverable by them against each other. The matter has been amicably settled between the parties and no purpose would be served in further pursuing with the FIR bearing No.1020 registered on the complaint of respondent No.2 on 02.08.2015 with Police Station Mukherjee Nagar, Delhi, under Sections 498A/406 IPC. Hence, in the circumstances and to secure ends of justice, the FIR bearing No.1020, registered on the complaint of respondent No.2 on 02.08.2015 with Police Station Mukherjeet Nagar, Delhi, under Sections 498A/406 IPC and proceedings arising out of the same are hereby quashed.
11. The petition is disposed of.

VINOD GOEL, J.

AUGUST 09, 2017

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