

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

% *Date of Judgment: 16th August, 2017*

+ **W.P.(CRL) 2304/2017**

SHOBHIT SINGH & ORS. Petitioners

Through: Mr. R.P.S. Bhatti, Advocate

versus

STATE NCT OF DELHI & ANR. Respondents

Through: Ms. Kamna Vohra, ASC for
State with S.I. G.C. Pal, Police Station Civil
Lines, Delhi.

Mr. Hoshiyar Singh, Advocate for R-2
alongwith respondent No.2 in person.

**CORAM:
HON'BLE MR. JUSTICE VINOD GOEL**

VINOD GOEL, J. (ORAL)

Crl.M.A. 13053/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

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1. Notice. Learned ASC, who appears on an advance copy, accepts the notice.
2. Notice to respondent No.2 also. She is present and accepts the notice. She is duly identified by the IO S.I. G.C.Pal and is

represented by her counsel, Mr. Hoshiar Singh, who submits that he has already filed Vakalatnama on behalf of respondent No.2.

3. The petitioners have 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.271/2016, registered on 19.10.2016 with Police Station Civil Lines, under Sections 341/323/506 and 34 of IPC on the complaint of respondent No.2.
4. The marriage of the petitioner no. 1 and the respondent no. 2 was solemnized on 13.12.2015 as per Hindu rites and ceremonies at Burari, Delhi. No child was born out of this wedlock.
5. The petitioner No.2 is the uncle (*Mama*) of petitioner No.1 and petitioner No.3 is the mother of petitioner No.1.
6. After the solemnization of marriage, the petitioner No.1 and respondent No.2 started residing 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 residing with her parents since 27.12.2015.
7. The respondent No.2 filed a petition under Section 125 of Cr.P.C. before learned Principal Judge, Family Court, Delhi for maintenance against petitioner No.1. She also lodged the said FIR against the petitioners.

8. The parties had amicably resolved their disputes. By this settlement, the petitioner No.1 and respondent No.2 had decided to part company of each other and obtain a decree of divorce by mutual consent. It had also been settled that the petitioner no. 1 shall pay a total sum of Rs.5,70,000/- to the respondent no. 2 in full and final settlement of all her claims including maintenance and costs of dowry articles, etc.
9. Pursuant to this settlement, the respondent No.2 present in the court states that she had withdrawn her petition under Section 125 of Cr.P.C from the court of learned Principal Judge, Family Court, Delhi. At the time of recording the statement of the parties in the first motion, a sum of Rs.5,70,000/- was paid by the petitioner No.1 to respondent No.2.
10. The respondent No.2 present in the court submits that she had already received the entire settlement amount from petitioner No.1. She submits that she does not wish to pursue the said FIR. She submits that she has amicably settled the matter with the petitioners without any force, coercion or threat. She submits that said FIR may be quashed.
11. Both the parties submit that now nothing is due and recoverable by them against each other. Parties have amicably settled their all disputes and no purpose would be served in further pursuing with the FIR bearing No.271/2016, registered on 19.10.2016 with Police Station Civil Lines, Delhi, under Sections 341/323/506/34 IPC. Hence, to secure ends of justice, the FIR bearing No. 271/2016, registered on 19.10.2016 with Police

Station Civil Lines, Delhi, under Sections 341/323/506/34 IPC and proceedings arising out of the same are hereby quashed.

12. The petition is disposed of.

VINOD GOEL, J.

AUGUST 16, 2017/sandeep

