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

+ CRL.M.C. 3146/2017

RUPESH KUMAR & ORS

..... Petitioners

Through: Mohd. Faraz, Adv.

versus

STATE & ANR

..... Respondents

Through: Mr. Raghuvinder Varma APP for
State with SI. Habeeb Ahmed P.S.
Shahadra

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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11.08.2017

CRL.M.A.12995/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3146/2017

This is a petition under Section 482 Cr.P.C. moved on behalf of the petitioner for quashing of FIR No.57/2007, under Sections 498-A/406/34 IPC and under Sections 3, 4 of Dowry Prohibition Act, 1961, registered at Police Station-Shahdara, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the marriage between the petitioner No.1 and the respondent No.2/complainant was solemnized on 05.03.2003 according to Hindu rites and customs and out of the said wedlock, two children are born. Counsel further submits that after the marriage misunderstanding between the parties had arisen, which resulted

into the registration of aforesaid FIR. He further submits that after the registration of the FIR, the near relatives and close friends intervened and the matter has been amicably settled between the parties in Delhi Mediation Centre, Karkardooma Courts, Delhi vide compromise deed dated 19.05.2014. Counsel further submits that the respondent No.2 is living with the petitioners alongwith children and they are leading a happy and peaceful married life. Counsel further submits that the matter has been amicably resolved between the parties nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the peaceful life of both the parties and prays that the FIR in question and all proceedings arising therefrom may be quashed.

The respondent No.2/complainant, Ms.Kavita is present in Court today and has been identified by the Investigating Officer, SI. Habeeb Ahmed. The complainant admits that the matter has been amicably settled with the petitioners and she has joined her husband/petitioner with her children. She further submits that she is living happily and peacefully with her husband without any kind of complaint or grievance. She further submits that the said settlement arrived at with the petitioner is voluntary and without any force, pressure or coercion and she does not want any further action qua against her husband and 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 in terms of the said settlement, the respondent No.2/complainant has joined her matrimonial home along with her children and now living with the petitioners happily and peacefully and nothing further remains to be

adjudicated between them, to have peace in the life of the parties and to meet the ends of justice, I deem it appropriate to quash the aforesaid FIR and all subsequent proceedings arising out of the same. Consequently, FIR No.57/2007, under Sections 498-A/406/34 IPC and under Sections 3, 4 of Dowry Prohibition Act, 1961, registered at Police Station-Shahdara, Delhi and all subsequent proceedings arising therefrom are hereby quashed.

The present petition is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

AUGUST 11, 2017/bh