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

+ CRL.M.C. 3424/2017
BHUPENDER SINGH

..... Petitioner

Through: Mr. Satyendra Kumar, Advocate with
petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Kamal Kr. Ghei APP for State,
with S.I. Dharmender Kumar P.S-
Sarai Rohilla, with Mr. S.K.
Chaudhary, Advocate with R-2 in
person

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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29.08.2017

CRL.M.A.14009/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3424/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.185/2010, under Sections 498-A/406/34 IPC, registered at Police Station-Sarai Rohilla, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioner submits that the petitioner No.1 Mr.Bhupendra Singh got married with respondent No.2, Ms.Shalu Chalal on 20.04.2007 according to Hindu rites and customs and out of the said wedlock two children namely Master Tejas Singh born on 31.01.2008 and

Baby Meisha born on 14.10.2009 who are in the custody of their father i.e. petitioner No.1, Mr.Bhupender Singh. 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 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 05.06.2017 granted by the Principal Judge, Family Court, South-West Distt., Dwarka, 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 petitioner 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.Shalu Chahal is present in Court today and has been identified by the Investigating Officer, SI Dharmender Kumar, P.S-Sarai Rohilla, Delhi. The complainant also admits that the matter has been amicably settled with the petitioner and as per the terms of settlement, she has already received all dues from the petitioners and the last instalment of Rs. 1 lakh (Rs. One Lakh only) has been received by her through DD no.710249 dated 23.08.2017. She further submits that she has no claim or grievance left against the petitioner. 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.Bhupender Singh and respondent No.2, Ms.Shalu Chahal has already been dissolved by mutual consent by a decree of divorce dated 05.06.2017 and also the custody of the children is in the custody of natural guardian i.e. petitioner No.1, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.185/2010, under Sections 498-A/406/34 IPC, registered at Police Station- Sarai Rohilla, 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 29, 2017/RV