

\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 3708/2017
RAJARSHI SHARMA & ORS Petitioners

Through: Mr.Ankit Chaudhary, Adv. with
Mr.P.Chaudhary, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ANR Respondents
Through: Mr.Kamal Kumar Ghei, APP for State
ASI Badluram, PS-Janakpuri
Ms.Sheenam Sharma, Adv. with
Mr.Naman Gupta and Ms.Priyanka
Dagar, Adv. for R-2.
R-2 present in person.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

% **ORDER**
12.09.2017

CRL.M.A.15090/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3708/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.568/2016, under Sections 498-A/406/34 IPC, registered at Police Station-Janakpuri, New Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1 Mr.Rajarshi Sharma @ Rishi got married with respondent No.2, Ms.Sheenam Sharma on 23.04.2014 according to Hindu rites and customs. 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 vide settlement deed dated 15.10.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 10.08.2017 passed by the Principal Judge, Family Court, South-West District, Dwarka, New 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.Sheenam Sharma is present in Court today and has been identified by the Investigating Officer, ASI Badluram, PS-Janakpuri, New Delhi. The complainant also admits that the matter has been amicably settled with the petitioners and as per the terms of settlement, she has already received all dues from the petitioners and the last instalment of Rs.6,50,000/- (Rupees Six Lakh Fifty Thousand only) has been received by her vide DD no. 648000 dated 29.08.2017. 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 dated 10.08.2017 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.Rajarshi Sharma @ Rishi and respondent No.2, Ms.Sheenam Sharma has already been dissolved by mutual consent by a decree of divorce dated 10.08.2017, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.568/2016, under Sections 498-A/406/34 IPC, registered at Police Station-Janakpuri 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

SEPTEMBER 12, 2017

RV