

\$~53

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

+ **CRL.M.C. 3759/2017**

MR SAURABH PURI & ORS Petitioners
Through: **Mr.Rakesh Mukhija, Adv.**

versus

STATE & ANR Respondents
Through: **Mr.Panna Lal Sharma, APP for State**
ASI Khushi Ram, PS-Khyala
Mr.Rajan Bhatia, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% 13.09.2017

CRL.M.A.15231/2017 & CRL.M.A.15232/2017

Exemption granted, subject to all just exceptions.

Applications stand disposed of.

CRL.M.C. 3759/2017 & 15230/2017(Stay)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.761/2015, under Sections 498-A/406/34 IPC, registered at Police Station-Khyala, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1, Mr.Saurabh Puri got married with respondent No.2, Ms.Neha Puri @ Rampal on 01.08.2010 according to Hindu rites and customs and out of the said wedlock one son namely Master Reyaansh was born on 03.08.2011 who is in the custody of his mother i.e. respondent No.2, Ms.Neha Puri @ Rampal. 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 before the Delhi Mediation Centre, Tis Hazari Courts, Delhi on 23.09.2016 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 19.07.2017 granted by the Principal Judge, Family Court, West, Tis Hazari Courts, 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.Neha Puri @ Rampal is present in Court today and has been identified by the Investigating Officer, ASI Khushi Ram, PS-Khyala, 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. 20,00,000/- (Rupees Twenty Lakhs only) has been received by her vide FDR dated 11.09.2017. She further submits that her son namely Master Reyaansh shall remain in her custody. 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 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.Saurabh Puri and respondent No.2, Ms.Neha Puri @ Rampal has already been dissolved by mutual consent by a decree of divorce dated 19.07.2017 and also the custody of minor son namely Master Reyaansh is in the custody of natural guardian i.e. respondent No.2, it is in their interest to lead their independent and peaceful life in future, consequently, the of FIR No.761/2015, under Sections 498-A/406/34 IPC, registered at Police Station-Khyala, Delhi and all proceedings arising of the same are hereby quashed. Parties to remain bound by the terms of settlement dated 23rd September, 2016.

The present petition is allowed and disposed of accordingly. All pending application(s) (if any) also stand disposed of.

Copy of this order be given *dasti*.

I.S.MEHTA, J

SEPTEMBER 13, 2017

RV