

\$~55

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

+ CRL.M.C. 3903/2017

DEEPAK BHIDURI & ANR

..... Petitioners

Through:

Mr. Salim Alvi, Advocate

versus

THE STATE & ORS

..... Respondents

Through:

Mr. Izhar Ahmad APP for State
with SI Sunil Chandelias PS-
Govind Puri

Mr. Rohit Agarwal & Mr. Divij
Soni, Advocate for R-2 & R-3
R-2 & R-3 present in person.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

20.09.2017

CRL.M.A.15765/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3903/2017

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.346/2010, under Sections 498-A/323/406/34 IPC R/w Sections 3 and 4 of Dowry Prohibition Act, registered at Police Station-Govind Puri, Delhi and all the proceedings emanating therefrom.

Learned counsel for the petitioners submits that the petitioner No.1, Mr.Deepak Bidhuri got married with respondent No.2, Ms.Hema and

petitioner No.2 Mr.Sunil Kumar Bidhuri got married with respondent No.3, Preeti on 12.12.2009 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 Compromise Deed dated 03.03.2015 and their marriage has also been dissolved by mutual consent by a decree of divorce dated 02.08.2016 granted by the Principal Judge (South-East), Family Court, Saket, 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 and respondent No.3 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 respondents No.2&3/complainants, Ms.Hema and Ms.Preeti are present in Court today and have been identified by the Investigating Officer, SI Sunil Kumar, P.S- Govind Puri, Delhi. The complainants also admit that the matter has been amicably settled with the petitioners and as per the terms of settlement, they have already received all dues from the petitioners. They further submit that they have no claim or grievance left against the petitioners. They further submit that the settlement/compromise has taken place voluntarily, without any force, pressure or coercion. They further submit that their marriage has already been dissolved by mutual consent by a decree of divorce and they have 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.Deepak Bidhuri with respondent No.2, Ms.Hema and petitioner No.2, Mr.Sunil Kumar Bidhuri with respondent No.3, Ms.Preeti have already been dissolved by mutual consent by a decree of divorce dated 02.08.2016, it is in their interest to lead their independent and peaceful life in future, consequently, the FIR No.346/2010, under Sections 498-A/323/406/34 IPC R/w Sections 3 and 4 of Dowry Prohibition Act, registered at Police Station-Govind Puri, 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

SEPTEMBER 20, 2017

RV