

\$~43

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

+ CRL.M.C. 4183/2017

DAL CHAND & ORS

..... Petitioners

Through: Mr. Kartickay Mathur, Adv. with Mr.
Aijaz Ahmed and petitioner in person.

versus

THE STATE & ANR NCT OF DELHI

..... Respondent

Through: Mr. Kamal Kumar Ghei, APP for
State with SI Uday Singh, PS
Bawana.

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

ORDER
13.10.2017

%

Crl.M.A. No.M.A.No.16782/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4183/2017

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioners for quashing of FIR No.112/2007, under Sections 498A/406/354/34 IPC registered at Police Station Bawana, Delhi and all proceedings arising therefrom.

Learned counsel for the petitioners has submitted that the petitioner No.1 Dal Chand got married to the respondent No.2 Smt. Rekha @Rekha Kapoor on 11th February, 2005 as per Hindu rites and customs at Delhi. Counsel further submits that subsequently a misunderstanding had arisen between the parties, which resulted into the registration of the aforesaid FIR against the petitioners. Counsel further submits that after the registration of the said FIR, the near relatives and friends intervened and the matter has been amicably settled between the parties. Counsel further submits that the marriage between the petitioner No.1 and the respondent No.2 has already been dissolved vide judgment and decree dated 16th October, 2014 passed by the learned Judge, Family Courts, Rohini, Delhi in HMA No.938/2014 and nothing further remains to be adjudicated between the parties, however, the present FIR is coming as hurdle in the personal life of the petitioners and prays that the FIR may be quashed.

Respondent No.2/complainant is present in person, who has been identified by the IO SI Uday Singh, Police Station Bawana, Delhi. She further admits dissolution of her marriage with the petitioner No.1 vide judgment and decree dated 16th October, 2014 passed by the learned Judge, Family Courts, Rohini, Delhi in HMA No.938/2014 and further submits that nothing further remains to be adjudicated between them and she has no objection if the instant FIR is quashed.

Looking into the above facts and circumstances, since the matter has been amicably settled between the parties and the marriage between the petitioner No.1 and respondent No.2 has already been dissolved vide judgment and decree dated 16th October, 2014 passed by the learned Judge, Family Courts, Rohini, Delhi in HMA No.938/2014 and nothing further

remains to be adjudicated between the parties, to have peace in the life of both the parties and to meet the ends of justice, I deem it appropriate to quash the FIR in question and all subsequent proceedings arising therefrom.

Consequently, FIR No.112/2007, under Sections 498A/406/354/34 IPC registered at Police Station Bawana, Delhi and all proceedings arising therefrom are hereby quashed. Parties shall be bound by the settlement dated 16th October, 2014.

The present petition is allowed and stands disposed of accordingly.

Copy of this order be given *dasti* to the parties, as prayed

I.S.MEHTA, J

OCTOBER 13, 2017

‘vm’