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

+ CRL.M.C. 4403/2017

SUNIL PAL & ORS

..... Petitioners

Through: Mr.Lalit Kumar Laarn, Advocate with
petitioners in person

versus

THE STATE NCT OF DELHI & ANR

..... Respondents

Through: Mr.Raghuvinder Varma, APP for the
State with SI Amit Rana Vigilance
Branch
Mr.Ashok Kumar, Advocate for R-2
with R-2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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31.10.2017

CRL.M.A.17652/2017

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4403/2017 & CRL.M.A.17653/2017

1. The present petition has been filed by the Petitioners under Section 482 Cr.P.C. for quashing of FIR No.597/2015, under Sections 498-A/406/34 IPC registered at P.S. Maurya Enclave, Delhi against the petitioners and the proceedings emanating therefrom.

2. Briefly stating the facts of the present case are that Respondent No.2 got married to Petitioner No.1 on 8th December, 2013 at Delhi according to

Hindu rites and ceremonies. However, due to temperamental and other differences, both of them started living separately w.e.f. 5th July, 2014. Thereafter, Respondent No.2 filed a complaint against the Petitioners at CAW Cell, PS Maurya Enclave, Delhi on the basis of which FIR in question was registered.

3. Respondent No.2 also filed a petition for judicial separation against the petitioner No.1 before the Family Courts, North-West District, Rohini Courts, Delhi where the petitioner No.1 and respondent No.2 have amicably settled all their disputes/claims for ₹2,00,000/- towards full and final settlement against stridhan, dowry articles, maintenance of present, past and future. Copy of the said settlement dated 23rd April, 2016 has been annexed with the petition as Annexure-P-2 as per which the respondent No.2/wife was to be paid ₹ 2,00,000 at various stages agreed therein.

4. It is also mentioned in the petition that vide order dated 28th February, 2017 passed by the Principal Judge, Family Court, North-West District, Rohini Courts, Delhi the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent.

5. All the petitioners are present today along with their counsel. In terms of full and final settlement arrived at between the parties, today learned counsel for the Petitioners has handed over to Respondent No.2 a demand draft for a sum of ₹ 60,000/- agreed to be payable at the stage of quashing of case FIR No.597/2015, under Sections 498-A/406/34 IPC registered at P.S. Maurya Enclave, Delhi.

6. Respondent No.2 is present in person and submits that she has settled the matter with the Petitioners and in terms of said settlement, today she has received a Demand Draft for a sum of ₹ 60,000/- from the Petitioners.

Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

7. The FIR registered against the present Petitioners is for committing the offences punishable under Sections 498-A/406/34 IPC. Offence punishable under Section 498-A IPC is a non-compoundable offence.

8. In view of the legal position laid down in *Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257* and amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

9. Accordingly, in terms of the settlement case FIR No.597/2015, under Sections 498-A/406/34 IPC registered at P.S. Maurya Enclave, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti, as prayed.

PRATIBHA RANI, J.

OCTOBER 31, 2017

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