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

+ **CRL.M.C. 4400/2017**

MANISH VERMA & ORS Petitioners

Through: **Mr. Bhola Singh, Adv.**

versus

STATE Respondents

Through: **Mr. Izhar Ahmad, APP for State**

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **01.12.2017**

Crl. M.A. 17635/2017 (exemption)

Exemption allowed subject to all just exceptions.

Application is disposed of.

CRL.M.C. 4400/2017

By the present petition, the petitioner seeks quashing FIR No. 39/2015, PS – Delhi Cantt., under Sections 498A/506 Indian Penal Code, 1860, registered on the complaint of complainant arrayed as respondent No. 2 – Ms. Anpreet Kaur @ Annu Varma, who is present before the Court submitting to the effect that a settlement has been arrived at between the parties. The Investigating Officer of the case has identified the petitioners Nos. 1 and 2 and has identified the photograph of the petitioner No. 3 – Ms. Santra placed on record in the form of the copy of her aadhar card, photocopy of which is Ex.CW1/A. Investigating officer has also identified the respondent No. present today in the Court. Respondent No. 2 has testified to the effect that she does not oppose the prayer made by the

petitioners seeking quashing of the FIR No. 39/2015, PS – Delhi Cantt., under Sections 498A/506 Indian Penal Code, 1860 in view of the settlement arrived at between the petitioners in as much as the marriage between the respondent No. 2 and petitioner No. 1 has since been dissolved vide the decree of divorce through mutual consent in HMA No. 523/2017, certified copy of which is Ex.CW2/C of the Court of the Additional Principal Judge (West), Delhi. She has further testified to the effect that pursuant to their settlement, she has received total a sum of Rs.1,05,000/- and now there are no further claims of hers against the petitioner Nos. 1, 2 and 3. She has also stated that she does not seek any action against the other person, named, Smt. Kaushalya Devi, w/o Sh. Mohan. In relation to this, the Investigating Officer of the case has also stated that the said person was not charge sheeted.

In view of the statement made by the respondent No. 2 and the factum that she does not oppose the prayer made by the petitioners seeking quashing of the FIR, there appears no reason to disbelieve the statement that she has made her statement voluntarily and has arrived at a settlement of her own accord, taking into account the statement made on behalf of the State and the respondent No. 2 not opposing the prayer made by the petitioners and the factum that the marriage between the petitioner No. 1 and respondent No. 2 has since been dissolved vide a decree of divorce dated 27.07.2017 of the Court of the learned Additional Principal Judge, Family Courts (West), Delhi in HMA No. 523/2015 certified copy of which is Ex.CW2/C, it is considered appropriate to put a quietus to the dispute between the petitioner No. 1 and respondent No. 2 for maintenance of peace and harmony between them.

In view thereof, FIR No. 39/2015, PS – Delhi Cantt., under Sections 498A/506 Indian Penal Code, 1860 and all consequential proceedings emanating therefrom against the petitioners No.1, 2 and 3, namely, Manish Verma, Mahavir and Smt. Santra are hereby quashed.

ANU MALHOTRA, J

DECEMBER 01, 2017
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