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

+ **W.P.(CRL) 3175/2017**

**JEETU KISHOR GAMBANI & ORS** ..... Petitioners

Through: Mr.Rajiv Tehlan, Advocate with  
petitioners in person.

versus

**THE STATE GOVT OF NCT OF DELHI & ANR** ..... Respondents

Through: Mr.Sanjay Lao, ASC for the State/R-1  
with SI Sandeep Kumar, PS Rani  
Bagh.  
Mr.Hemant Chaudhary, Advocate for  
R-2 with R-2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

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**16.11.2017**

Crl.M.A. No.18784/2017

1. Exemption allowed subject to all just exceptions.
2. Application is disposed of.

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1. The present writ petition has been filed by the Petitioners under Articles 226/227 of the Constitution of India for quashing of FIR No.707/2016 under Sections 498-A/406/34 IPC, P.S. Rani Bagh, Delhi as well as consequential proceedings emanating therefrom.
2. Briefly stating the facts of the present case are that respondent No.2 got married to petitioner No.1 on 21<sup>st</sup> May, 2013 according to Hindu rites

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and ceremonies. It is further mentioned in the petition that the petitioner No.1 and respondent No.2 could not live together and started living separately with effect from 29<sup>th</sup> May, 2014. Thereafter, respondent No.2 filed a criminal complaint against the petitioners which resulted into registration of FIR in question. It is mentioned in the petition that during the pendency of above proceedings, the matter was referred to Mediation Centre where parties arrived at an amicable settlement and agreed to dissolve their marriage by a decree of divorce by mutual consent.

3. It is further stated in the petition that **the parties have settled the matter before Mediation Centre, Rohini District Court, Delhi and copy of the said settlement dated 4<sup>th</sup> January, 2017 has been placed on record as Annexure-P/2.**

4. 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 dated 26<sup>th</sup> October, 2017 for a sum of ₹4 lakhs, which the respondent No.2 has accepted. Copy of demand draft has also been placed on record.

5. Respondent No.2 is present in person and submits that she has settled the matter with the petitioners before Mediation Centre, Rohini Court, Delhi and in terms of said settlement, today she has received Rs.4 lakhs by way of demand draft from the petitioners. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

6. Learned counsel for the petitioners and complainant submit that after the matter in dispute has been amicably settled between the parties, no purpose would be served in prosecuting the petitioners, therefore the FIR in question and criminal proceedings emanating therefrom may be quashed.

7. In view of the legal position laid down in the decision reported as Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257 and the amicable settlement arrived at between the parties before the Mediation Centre, 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.

8. Accordingly, the petition is allowed and FIR No.707/2016 under Sections 498-A/406/34 IPC, P.S. Rani Bagh, Delhi and consequential proceedings arising therefrom are hereby quashed. The Parties shall be bound by the terms and conditions of settlement arrived at before Mediation Centre, Rohini Court, copy of which is placed on record as Annexure-P/2.

Order dasti.

**PRATIBHA RANI, J.**

**NOVEMBER 16, 2017**

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