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

+ **W.P.(CRL) 3211/2017**

RAVINDER KUMAR @ RAVI & ORS Petitioners

Through: Ms.Rashmi Sharma, Advocate with
petitioners in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Ms.Kamna Vohra, ASC for the
State/R-1 with ASI Devender Kumar,
PS Uttam Nagar.
Ms.Reena Singh, Advocate for R-2
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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20.11.2017

CrI.M.A. No.18955/2017

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

W.P.(CRL) 3211/2017

1. The present writ petition has been filed by the Petitioners under Article 226 of the Constitution of India for quashing of FIR No.151/2016 under Sections 498-A/406/34 IPC, P.S. Uttam Nagar, 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 19th February, 2015 according to Hindu

rites and ceremonies. Thereafter on 11th February, 2016 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 stated in the petition that **the parties have settled the matter before Mediation Centre, Tis Hazari Court, Delhi and copy of the said settlement dated 20th July, 2016 has been placed on record as Annexure-C.**

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 sum of Rs.50,000/- in cash, which the respondent No.2 has accepted against receipt which has 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, Tis Hazari Court, Delhi and in terms of said settlement, today she has received Rs.50,000/- in cash 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.151/2016 under Sections 498-A/406/34 IPC, P.S. Uttam Nagar, 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, Tis Hazari Court, copy of which is placed on record as Annexure-C.

Order dasti.

PRATIBHA RANI, J.

NOVEMBER 20, 2017

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