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

+ **W.P.(CRL) 3320/2017**

RAJBIR & ORS.

..... Petitioners

Through: **Mr.R.B.Sharma & Mr.A.K.Pandey,**
Advocates with Petitioners in person

versus

STATE & ANR.

..... Respondents

Through: **Mr.Jamal Akhtar, Advocate for**
Mr.Rahul Mehra, Std. Counsel for the
State with ASI Hawa Singh, PS Nihal
Vihar with Respondent No.2/
complainant in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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27.11.2017

CRL.M.A.19536/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL.) 3320/2017

1. This petition under Article 226 of the Constitution of India, read with Section 482 Cr.P.C. has been filed by the petitioner seeking quashing of FIR No.195/2015, under Sections 498A/406/34 IPC, registered at PS Nihal Vihar.
2. Notice. Learned counsel as above appearing on behalf of Standing Counsel for the State accepts notice on behalf of the State.

3. Brief facts leading to filing of this petition are that marriage between petitioner No.1 and respondent No.2/complainant was solemnized on 24th November, 2012 according to Hindu rites and ceremonies. Respondent No.2 filed a complaint against the petitioners alleging on her marriage around ₹4 lakh has been spent by her father and her father also gave dowry in her marriage. After few days of her marriage her husband and in-laws started fighting with her and treating her with cruelty for demand of dowry. His husband asked her to bring car from her father. He used to blame her of having extramarital affair with other men and refuse to accept the baby in her womb as his own and demanded DNA test. Her mother-in-law also asked her to bring gold and silver jewellery from her father. This resulted into registration of FIR No.195/2015, under Sections 498A/406/34 IPC, registered at PS Nihal Vihar against the petitioners.

4. Learned counsel for the petitioners submit that charge-sheet has not been filed in this case till date. The respondent No.2/complainant has joined the company of petitioner No.1 with her free will and without and pressure or threat from any corner and has submitted her settlement dated 28th February, 2016 with the petitioners in the police station. Copy of the settlement is annexed along with this petition as Annexure P-2 (colly).

5. Learned counsel for the petitioners further submit that since the respondent No.2/complainant and the petitioner No.1 are living together since 27th February, 2016 and as per settlement there is no dispute left between the parties and they do not want any further proceedings, the FIR in question may be quashed.

6. Respondent No.2 is present in Court today and she also confirms the factum of amicable settlement with the petitioners. She submits that she

does not wish to continue criminal proceedings against the petitioners and has no objection if the FIR in question and all consequent proceedings arising therefrom are quashed.

7. In view of the aforesaid amicable settlement arrived at between the parties, I am of the considered view that no useful purpose would be served by continuing with the FIR/ criminal proceedings against the petitioners, which will only be an exercise in futility and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No.195/2015, under Sections 498A/406/34 IPC, registered at PS Nihal Vihar and all the proceedings arising therefrom are hereby quashed.

Order *dasti*.

PRATIBHA RANI, J.

NOVEMBER 27, 2017

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