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

+ **W.P.(CRL) 3456/2017**

PRATEEK KALRA & ORS

..... Petitioners

Through: Mr.M.Shamikh, Advocate with
petitioner in person.

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Ms.Richa Kapoor, ASC for the
State/R-1 with SI Brij Mohan, PS
M.S. Park.
Mr.S.K.Gupta, Advocate with
respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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11.12.2017

Crl.M.A.No.20334/2017

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

W.P.(CRL) 3456/2017

1. This petition under Article 226 of the Constitution of India, read with Section 482 Cr.P.C. has been filed by the petitioners seeking quashing of FIR No.257/2016, under Sections 498A/406/34 IPC, registered at PS Mansrovar Park and the proceedings arising therefrom, on the basis of amicable settlement between the parties.
2. Notice. Learned ASC for the State/R-1 and learned counsel for respondent No.2 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 14th February, 2016 according to Hindu rites and ceremonies. Due to some differences the petitioner No.1 and respondent No.2 could not live together. The respondent No.2 left the company of petitioner and filed a criminal complaint against the petitioners on the basis of which FIR No.257/2016 under Section 498-A/406/34 IPC was registered at PS Mansarovar Park.

4. During the pendency of criminal proceedings, the parties arrived at an amicable settlement vide settlement deed dated 28th August, 2017 before the Counselling Cell, Karkardooma Court, Delhi and agreed to dissolve their marriage by way of decree of dissolution by mutual consent. Copy of the settlement deed is also placed on record.

5. Learned counsel for the petitioners submit that as per settlement between the parties, ₹4 lakhs has been paid today by the petitioners to the complainant/respondent No.2 by way of demand draft No.284972 dated 8th December, 2017 (copy placed on record). Learned counsel for the petitioners submit that marriage of petitioner No.1 and respondent No.2 already stands dissolved by way of decree of dissolution by mutual consent vide order dated 10th October, 2017 (copy of decree sheet placed on record). Learned counsel for the petitioners prays that since parties have arrived at an amicable settlement, no useful purpose would be served by continuing the criminal proceedings against the petitioners, hence FIR in question and the proceedings emanating therefrom may be quashed.

6. Respondent No.2 is present in the Court today and confirms the factum of amicable settlement with the petitioners. She also states that in terms of settlement, today she has received ₹4 lacs from the petitioners by

way of demand draft and that she has no objection if the FIR in question and all consequent proceedings arising therefrom are quashed.

7. 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.

8. Accordingly, the petition is allowed and FIR No.257/2016, under Sections 498A/406/34 IPC, registered at PS Mansrovar Park, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti.

PRATIBHA RANI, J.

DECEMBER 11, 2017

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