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

+ CRL.M.C. 5405/2017

DEVENDER SINGH & ORS

..... Petitioners

Through: Ms.Vandana Bhatnagar, Advocate
with Petitioner Nos.1 to 4 in person

versus

THE STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr.Arun Kumar Sharma, APP for the
State with SI Bijender Kumar,
PS North Rohini
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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20.12.2017

1. This petition has been filed by the Petitioners under Section 482 Cr.P.C. for quashing of case FIR No.1004/2014 under Sections 498-A/406/34 IPC registered at PS North Rohini, Delhi and the proceedings emanating therefrom on the basis of settlement arrived at between the parties.

2. Briefly stating the facts of the present case are that Respondent No.2 got married to Petitioner No.1 on 19th April, 2004 according to Hindu rites and ceremonies. Out of the said wedlock, one daughter was born who is about fifteen years of age. Due to temperamental differences, the parties were living separately from each other since 10th April, 2014 and respondent No.2 is residing at her parents' house along with her daughter. Thereafter, Respondent No.2 filed a complaint against the Petitioners in the CAW Cell

on the basis of which FIR in question was registered.

3. It is mentioned in the petition that during the pendency of above proceedings, the parties amicably settled all their disputes and filed a joint petition for divorce under Section 13(B)(1) of Hindu Marriage Act, which was allowed by the learned Principal Judge, Family Courts, District North-West, Rohini, Delhi vide order dated 16th May, 2017.

4. All the petitioners along with their counsel are present in person except petitioner No.5 as he has already been discharged by the learned ASJ vide order dated 27th March, 2017 passed in CR No.9/2017.

5. Respondent No.2 is present in person and submits that she has settled the matter with the Petitioners and she has no objection if the FIR in question is quashed qua the Petitioners.

6. The FIR registered against the present petitioners is for committing the offences punishable under Sections 498-A/406/34 IPC. Offence punishable under Section 498-A IPC is a non-compoundable offence.

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 in terms of the settlement, case FIR No. 1004/2014 under Sections 498-A/406/34 IPC registered at PS North Rohini, Delhi and consequential proceedings arising therefrom are hereby quashed.

Order dasti, as prayed.

PRATIBHA RANI, J.

DECEMBER 20, 2017/ 'hkaur'