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

+ CRL.M.C. 687/2018

SARVAGHYA JAIN

..... Petitioner

Through Mr. Bharat Gupta, Adv

versus

THE STATE & ANR

..... Respondents

Through Mr M S Oberoi, APP for State with
SI Aadesh PS Prashant Vihar
Mr. Vivek Aggarwal, Adv for R-2
with R-2 in person

+ CRL.M.C. 688/2018

SARVAGHYA JAIN & ORS

..... Petitioners

Through Mr. Bharat Gupta, Adv

versus

THE STATE & ANR

..... Respondents

Through Mr M S Oberoi, APP for State with
SI Aadesh PS Prashant Vihar
Mr. Vivek Aggarwal, Adv for R-2
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CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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09.02.2018

By way of these petitions, petitioner has prayed for quashing of the following FIRs both registered on the complaint of respondent no.2 Ms. Karuna Jain:-

(a) FIR 523/2014 under section 498A/406/34 IPC and section 3/4 of Dowry Prohibition Act registered at police station Prashant Vihar; &

(b) FIR 681/2015 under section 506/509 IPC registered at police station Prashant Vihar,

Petitioner and respondent no.2 were married as per Hindu rites and ceremonies on 12th July, 2013 but due to marital discord started living separately from 1st October, 2013. On the complaint of respondent no.2 aforesaid FIRs were registered.

Respondent No.2 is present in court along with her counsel and has been identified by SI Aadesh of Police Station Prashant Vihar. Respondent No. 2 says that she has settled the matter with petitioner no.1 of her own free will, voluntarily and without any undue force, pressure or coercion before the Mediation Centre, Rohini Courts on 31.01.2017. Her marriage with petitioner has already been dissolved by a decree of divorce by mutual consent dated 22.08.2017 passed by Family Court, North District, Rohini Courts, Delhi.

Petitioner has paid ₹4,00,000/- by way of demand draft, photocopy whereof is on record. Respondent No. 2 says that with this payment, entire settled amount stands paid. She says that she has no objection in case the aforesaid FIRs are quashed against the petitioners.

Keeping in view the settlement arrived at between the petitioner No.1 and respondent no. 2 voluntarily, coupled with the fact that marriage between the petitioner and respondent no. 2 has already been dissolved, in my view, no fruitful purpose would be served to keep the

criminal proceedings pending. In the interest of justice, both the FIRs i.e. FIR No.523/2014 under section 498A/406/34 IPC and FIR No.681/2015 under section 506/509 IPC both registered at police station Prashant Vihar and the consequent proceedings emanating therefrom are quashed.

Petitions are disposed of in the above terms. Miscellaneous applications are disposed of as infructuous. Dasti.

A.K. PATHAK, J

FEBRUARY 09, 2018

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