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

+ **CRL.M.C. 1215/2018**

SHRI AMAR SINGH & ORS

..... Petitioners

Through

Ms.Radha Singh, Adv. with
petitioners in person.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through

Mr.Raghuvinder Verma, APP for the
State.
SI Kuldeep, PS Bharat Nagar.
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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06.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.0317/2015 registered u/s 452/354/354A/354B/506/509/34 IPC at Police Station Bharat Nagar, Delhi on the basis of a settlement arrived at between the parties.

2. Learned counsel for the petitioners submits that the marriage between the petitioner No.1 and the respondent No.2 was solemnized on 10th March, 2010 as per Sikh rites and ceremonies and they were blessed with a baby boy on 7th December, 2012. However, after the birth of the child, disputes arose between the parties due to temperamental differences, as a result of which the respondent no.2 left her matrimonial home on 2nd May, 2013. Thereafter, the

respondent no.2 filed a complaint against the petitioners leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that the parties have now amicably resolved their disputes with the intervention of common friends and have decided to part ways amicably. Furthermore, the marriage between the petitioner no.1 and respondent no.2 already stands dissolved by a decree of divorce passed on 9th February, 2016, whereafter the respondent no.2 has re-married. She, therefore, prays that the captioned FIR and all consequential proceedings be quashed.

4. The petitioners as also the respondent No.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent No.2, who states that she has resolved her disputes with the petitioners of her own free will and entered into a settlement with them without any coercion. She also states that after her divorce from the petitioner No.1, she has already re-married and does not want the criminal proceedings to continue any further, as it will not only lead to further acrimony between the parties but will also disturb her future married life. She therefore prays that the FIR and all consequential proceedings be quashed.

5. I have considered the submissions of learned counsel for the parties and perused the record. Keeping in view the fact that the present FIR emanates from a matrimonial dispute which already stands resolved amicably between the parties as also the fact that the respondent No.2 after her divorce from the petitioner No.1, has already re-married, no useful purpose would be served in continuing

the criminal proceedings against the petitioners. In my view the ends of justice demand that the FIR and all consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all proceedings emanating therefrom are quashed, subject to the petitioners paying a sum of Rs.10,000/- as costs to the Delhi Police Martyr's Fund, A/c No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within six weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer.

7. The petition is disposed of in the aforesaid terms.

REKHA PALLI, J

DECEMBER 06, 2018/aa