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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2596/2018 & CrI.M.A. No.9214/2018 (for stay)

VIJAY KUMAR

..... Petitioner

Through: Mr.B.K. Bharti, Adv. with petitioner
in person.

versus

STATE (NCT OF DELHI) & ORS.

.... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Manish, PS Palam
Village.
R-2 & 3 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.10.2018

1. Vide the present petition, the petitioner seeks quashing of FIR No.169/2010 under Sections 323/406/498A/506/34 IPC registered at PS Palam Village, Delhi on the basis of a settlement arrived at before the learned ADJ, Jalandhar in RG No.4253/15.09.17.
2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.3 was solemnised on 15.04.2001 whereafter, they were blessed with a son on 16.02.2002. He submits that subsequently due to temperamental differences, the respondent no.3 left her matrimonial home and thereafter a complaint was filed by respondent no.2/uncle of respondent no.3, leading to the registration of the aforesaid FIR. He submits that however, with the intervention of the seniors of the family, the parties have arrived at a

settlement and decided to part their ways, pursuant where to, a decree of divorce has already been passed by the Family Courts, dissolving the marriage of the petitioner with respondent no.3 on 08.09.2017. He therefore, prays that the aforesaid FIR and all consequential proceedings emanating therefrom are quashed.

3. The petitioner as also respondent nos.2 and 3 are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent nos.2 and 3, who state that they have decided to resolve their differences with the petitioner on their own free will. Respondent no.3 further submits that not only her marriage with respondent no.1 stands dissolved but the agreed amount has also been received by her and she does not now want to pursue the aforesaid criminal proceedings as she wants to move on in life and therefore, does not want any acrimony in her future life.

4. 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 out of a matrimonial dispute which now stands resolved between the parties, interest of justice demands that the present proceedings be quashed, as no useful purpose will be served in continuing the criminal proceedings when the parties have already resolved their differences and want to move on in life.

5. Accordingly, the petition is allowed and FIR No.169/2010 under Sections 323/406/498A/506/34 IPC registered at PS Palam Village, Delhi is quashed, subject to the petitioner depositing a sum of Rs.10,000/- with the Delhi High Court Staff Welfare Fund, within two weeks from today. A copy of receipt of deposit of costs will be

handed over to the Investigating Officer for production before the Trial Court.

6. The petition and the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 26, 2018

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