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

+ **CRL.M.C. 3818/2014**

DHARAMVEER

..... Petitioner

Through Mr.Joydeep Mazumdar with Mr.Rohit
& Ms.Priyata, Advs.

versus

STATE & ANR

..... Respondent

Through Mr.Mukesh Kumar, APP.
Ms.Neeru Nagpal, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **14.12.2018**

CRL.M.A. 49785/2018(addl. documents.)

1. For the reasons stated in the application, the same is allowed.
2. The documents filed alongwith the present application are taken on record.
3. The application stands disposed of.

CRL.M.C. 3818/2014

1. Vide the present petition u/s 482 Cr.P.C, the petitioner seeks quashing of FIR No.371/2014 u/s 380/454 IPC registered at Police Station Janak Puri, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties on 17.07.2018 under the aegis of the Delhi High Court Mediation and Conciliation Centre.
2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on

25.02.2004 as per Hindu rites and ceremonies. However, due to temperamental differences, the parties could not reside together and the respondent no.2 left her matrimonial home in October, 2013, whereafter she made a complaint against the petitioner leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioner further submits that the parties have now arrived at a settlement dated 17.07.2018 under the aegis of the Delhi High Court Mediation and Conciliation Centre, as per which the petitioner and the respondent no.2 have decided to part ways amicably. Pursuant thereto, a decree of divorce dissolving the marriage between the petitioner and respondent no.2 has already been passed by the learned Family Court on 27.11.2018 and the entire agreed amount Rs.16,00,000/- has already been paid to the respondent no.2. He states that the petitioner volunteers to pay costs as may be directed by this Court and, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioner as also the respondent no.2 are present in Court and have been identified by their respective counsel. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioner of her own free will and has entered into the settlement without any coercion. She further states that she has received the entire agreed amount except a sum of Rs.25,000/-, which is receivable by her on account of the delay on the part of the petitioner in paying the settlement amount. She also states that she does not want the criminal proceedings to continue as she wants to move on in life and, therefore, does not want any further

acrimony with the petitioner.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the captioned FIR was lodged based on a complaint made by the respondent no.2 in the heat of the moment because of a matrimonial dispute, which dispute now stands resolved between the parties, no useful purpose will be served in continuing the criminal proceedings when the parties themselves have already resolved their differences and want to move on in life. In my view, the ends of justice demand that the captioned FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioner paying the aforementioned sum of Rs.25,000/- to the respondent no.2 on account of the delay on his part in paying the entire settlement amount, by way of a Demand Draft within two weeks from today. A copy of the Demand Draft will be handed over to the Investigating Officer for production before the Trial Court.

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

8. The already fixed, i.e. 10.04.2019, stands cancelled.

REKHA PALLI, J

DECEMBER 14, 2018

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