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

+ CRL.M.C. 4063/2018

SANJAY KUMAR & ORS

..... Petitioner

Through Mr.Rahul Pal, Adv.

versus

THE STATE & ANR

..... Respondent

Through Mr.Raghuvinder Verma, APP with SI
Abhijeet Singh, PS GTB Enclave.
Mr.Beerpal Singh, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **30.10.2018**

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.160/2010 u/s 406/498A/34 IPC and u/s 4 of Dowry Prohibition Act registered at P.S Mansarovar Park, Delhi.
2. Mr.Rahul Pal, learned counsel for the petitioners submits that the marriage between the respondent no.2 and one Mr.Ajay Kumar, who has since expired on 02.05.2018 was solemnised on 23.06.2003 as per Hindu rites and ceremonies and they were blessed with two daughters out of the said wedlock. He submits that subsequently due to temperamental differences the respondent no.2 left her matrimonial home and made a complaint against the petitioners leading to the registration of the aforesaid FIR.
3. Mr. Pal submits that the parties, with the intervention of the

elders of the family have now arrived at a settlement before the learned Mediation Centre, Karkardooma Court, Delhi on 06.02.2018 and based on the said settlement, the petitioner nos.1 & 2 have vacated and handed over the keys of property bearing no. B-309, Jahangir Puri, Delhi to the respondent no.2. He, therefore, prays that in view of the settlement between the parties the aforesaid FIR and all proceedings emanating therefrom 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 also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will. She further states that she does not want to pursue the aforesaid criminal proceedings as she wants to move on in life and, therefore, does not want any further acrimony with the petitioners.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the respondent no.2's husband had already expired and the parties themselves have already resolved their differences and want to move on in life, no useful purpose will be served in continuing the criminal proceedings. In my view the ends of justice demand that the FIR and the proceedings emanating therefrom be quashed

6. Accordingly, the petition is allowed and the captioned FIR and all proceedings emanating therefrom are quashed, subject to the petitioners depositing a sum of Rs.10,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank. Delhi, IFSC Code UCBA0001820 within three weeks from today. A copy of the

receipt of the deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

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

REKHA PALLI, J

OCTOBER 30, 2018

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