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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3926/2018 & CRL.M.A. 29351/2018

RAHUL WAHI & ORS

..... Petitioner

Through Mr.Rajesh
Mr.S.K.Mohan, Advs.

Pandey with

versus

THE STATE & ANR

..... Respondent

Through Ms.Manjeet Arya, APP with SI
Davender, PS Dabri.

Mr.G.D.Sharma, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.10.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0192/2017 u/s 406/498A/34 IPC registered at P.S Dabri, Delhi.
2. Mr.Rajesh Pandey, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 17.11.2014 as per Hindu rites and ceremonies but they could not adjust with each other due to temperamental differences. As a result thereof, the respondent no.2 made a complaint against the petitioners leading to the registration of the aforesaid FIR.
3. Mr. Pandey submits that the parties, with the intervention of the elders of the family, have now arrived at a settlement before the learned Mediation Centre, Dwarka Courts, Delhi on 05.06.2017 and

the petitioner no.1 as also the respondent no.2 have decided to part ways, pursuant where to, a decree of divorce has already been passed by the learned Family Court on 05.06.2018, thereby dissolving the marriage between petitioner no.1 and respondent no.2. He further submits that out of the entire agreed amount of Rs.9,75,000/-, a sum of Rs.7,75,000/- has already been paid to the respondent no.2 and the remaining Rs.2,00,000/- will be paid to her before the Mahila Court when the respondent no.2 takes steps to withdraw her complaint filed by her under provisions of Domestic Violence Act. He, therefore, prays that that 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 and has entered into the settlement without any coercion. 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 present FIR emanates from a matrimonial dispute, which now stands resolved between the parties, the ends of justice demand that the present proceedings be quashed, as 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.

6. Accordingly, binding the petitioners to the undertaking that they will pay the remaining Rs.2,00,000/- to the respondent no.2 before the Mahila Court, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.20,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank. Delhi, IFSC Code UCBA0001820 within two weeks from today. A copy of the receipt will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 30, 2018

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