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

+ **CRL.M.C. 4202/2018 & CrI.MA 30293/2018**

MAHESH KUMAR & ORS

..... Petitioner

Through Mr.Lalit Ajmani with Mr.Ajay
Kumar, Advs.

versus

THE STATE & ANR

..... Respondent

Through Mr.Mukesh Kumar, APP with SI
Deepak, PS S.P.Badli.
Mr.Hemant Yadav, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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29.10.2018

1. Vide the present petition, the petitioners seeks quashing of FIR No.1242/2015 under Sections 4 of Dowry Prohibition Act and 406/498A/34 IPC registered at PS Samaipur Badli.
2. Mr.Lalit Ajmani, learned counsel for the petitioner submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 11.07.2008 whereafter, they were blessed with a son namely Arman @ Chirag. He further submits that subsequently due to temperamental differences, the respondent no.2 left her matrimonial home and thereafter a complaint was filed by her leading to the registration of the aforesaid FIR.
3. Mr. Lalit Ajmani submits that the parties have arrived at a settlement before the learned Principal Judge, Family Court on

04.03.2017 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 no.1 with respondent no.2 on 14.12.2017. He further submits that the entire settlement amount of Rs.9,00,000/- has already been paid to the respondent no.2. He, therefore, prays that the aforesaid FIR and all consequential proceedings emanating therefrom are quashed.

4. The petitioners as also 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 on her own free will and the entire settlement amount has been paid to her. 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 acrimony in her future life.

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, the petition is allowed and the captioned FIR is quashed, subject to the petitioner paying a sum of Rs.25,000/- as a D.D. in favour of his son Mr.Arman @ Chirag within two weeks from today. A copy of the D.D. 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 29, 2018

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