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

+ CRL.M.C. 4179/2018 & Crl.M.A. No.30244/2018 (for exemption)

SONU KASHYAP & ORS

..... Petitioners

Through: Mr.Mukesh Anand, Adv. with
petitioners in person.

versus

STATE (GOVT OF NCT) OF DELHI & ANR. Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Brij Mohan, P.S. M.S.
Park.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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25.10.2018

1. Vide the present petition, the petitioners seek quashing of FIR No.11/2016 under Sections 498A/406/34 IPC registered at P.S. Mansarovar Park, Delhi on the basis of settlement dated 09.03.2015 and 18.03.2017 entered into with the assistance of the Delhi Government Mediation and Conciliation Centre and the Family Courts, Karkardooma, Delhi.

2. Mr.Mukesh Anand, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and respondent no.2 was solemnised on 27.11.2009 as per Hindu rites and ceremonies and the parties had been living together happily. However subsequently due to some misunderstanding, respondent no.2 left her matrimonial home

in the year 2014 and started living with her parents whererafter, even though the parties initially settled their disputes on 09.03.2015 and started living together, a complaint was lodged by respondent no.2, based on which, the aforesaid FIR was registered.

3. Mr.Anand submits that however after the registration of the FIR the parties have, keeping in view the welfare of their minor daughter, resolved their differences and are living together happily for the last two years and therefore, prays that the aforesaid FIR and the consequential proceedings be quashed.

4. All the five petitioners as also respondent no.2 are present in Court and have identified by the Investigating Officer. I have interacted with respondent no.2 who states that she is happily living with the petitioners and has no grievance of any kind whatsoever against them. She submits that the complaint was lodged by her in the heat of the moment due to some misunderstanding with her husband and therefore, prays that for the welfare of her family including her minor daughter, the proceedings be quashed.

5. I have carefully considered the submissions made by learned counsel for the parties and keeping in view the fact that the aforesaid FIR emanates out of a matrimonial dispute which the parties have now resolved amicably and are living happily for the last two years, I am of the opinion that the interest of justice demands that the aforesaid criminal proceedings should not be continued any further. Even otherwise, in view of the settlement arrived at between the parties, continuation of the proceedings will be a futile exercise.

6. Accordingly, for the aforesaid reason the petition is allowed

and FIR No.11/2016 under Sections 498A/406/34 IPC registered at P.S. Mansarovar Park, Delhi alongwith the consequential proceedings emanating therefrom, are quashed, subject to the petitioners depositing a sum of Rs.10,000/- with the Delhi High Court Lawyers Welfare Trust, within two weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer, who will then produce it before the learned Trial Court.

7. The petition and pending application are disposed of in the aforesaid terms.

REKHA PALLI, J

OCTOBER 25, 2018

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