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

+ CRL.M.C. 4127/2018

ARUN PRAKASH & ORS.

..... Petitioner

Through Mr.Raj Kumar with Mr.Ram
Kumar,Adv.s.

versus

STATE, NCT OF DELHI & ANR.

..... Respondent

Through Mr.Raghuvinder Verma, APP with SI
Mangai Ram, PS Hari Nagar.
Mr.Akash Verma, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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14.11.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.1369/2014 u/s 498A/406/34 IPC registered at Police Station Hari Nagar, Delhi and all proceedings emanating therefrom, based on a settlement deed dated 15.12.2016 arrived at by the parties before the Counselling Cell, Tis Hazari Courts.

2. Mr.Raj Kumar, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 01.05.2013 as per Hindu rites and ceremonies and they were blessed with a baby girl, namely Ms.Amishi Sharma, on 06.02.2014. However, due to temperamental differences, they could not adjust with each other and, therefore, started living separately w.e.f. 25.06.2014. As a result thereof, the respondent no.2 made a

complaint against the petitioners, leading to the registration of the aforesaid FIR.

3. Mr.Raj Kumar further submits that the parties have now resolved their differences amicably and have arrived at a settlement dated 15.12.2016 before the Counselling Cell, Tis Hazari Courts, as per which the petitioner no.1 and respondent no.2 have decided to part ways. Furthermore, a decree of divorce dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court on 12.02.2018 and the entire agreed amount of Rs.18 lakhs has already been paid to the respondent no.2. He, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed and submits that the petitioners are willing to pay costs as may be directed by this Court.

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 aforesaid settlement without any coercion. She further states that she has received the entire agreed amount and does not want the aforesaid criminal proceedings to continue 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, and since the petitioners have offered to

pay the costs imposed on them, 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 FIR and consequent proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.75,000/- to Ms.Amishi Sharma (daughter of the petitioner no.1 and respondent no.2) in the account no.32200300016810 within two weeks. A proof of the said payment 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

NOVEMBER 14, 2018

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