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

+ **CRL.M.C. 4383/2018**

SH. PAWAN KUMAR GOYAL @ SAMEER Petitioner
Through: Mr.Abhimanyu Kumar & Mr.A.K.
Dubey, Advs. with petitioner in
person.

versus

THE STATE & ANR. Respondents
Through: Ms.Manjeet Arya, APP for the State.
With SI Dharmendra Kumar, PS
Shahdara.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
ORDER
% **15.11.2018**

1. Vide the present petition under Section 482 Cr.P.C, the petitioner seeks quashing of FIR No.226/2013 under Sections 498A IPC registered at Police Station Shahdara, Delhi and all proceedings emanating therefrom, based on a settlement dated 01.11.2017 arrived at by the parties before the Family Courts, Karkardooma, Shahdara, Delhi.

2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on 05.11.2007 as per Hindu rites and ceremonies, but due to temperamental differences, the parties could not live together leading to filing of a complaint by the respondent no.2 against the petitioner as a result whereof, the aforesaid FIR was registered.

3. Learned counsel for the petitioner submits that subsequently, the parties have now resolved their disputes and have on 01.11.2017,

entered into a settlement under the aegis of Family Court, Karkardooma, Shahdara, Delhi. He submits that as per the settlement, the petitioner and respondent no.2 have decided to part ways amicably. He further submits that a decree of divorce dissolving the marriage between the petitioner and respondent no.2 has already been passed by the learned Family Court, Karkardoma Courts, Delhi on 20.09.2018. He, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioner as also the respondent no.2 are present in Court and have been duly identified by the Investigating Officer. I have interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioner of her own free will and has entered into the aforesaid settlement without any coercion. She further states that does not want the aforesaid criminal proceedings to continue any further as she wants to move on in life and, therefore, does not want any further acrimony with the petitioner.

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, no useful purpose will be served in continuing the criminal proceedings when the parties themselves after resolving their differences, want to move on in life. In my view, the ends of justice demand that the FIR and consequent proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.15,000/- to the Delhi High Court Staff Welfare Fund within two weeks from today. A copy of the receipt of 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

NOVEMBER 15, 2018

gm