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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4604/2018 & CrI.M.A. No.31833/2018 (for exemption)
RAKESH SHARMA Petitioner
Through: Mr.S.P. Sharma, Adv.

versus

STATE & ANR Respondents
Through: Mr.Mukesh Kumar, APP for the State
with SI Udham, PS Bindapur.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **31.10.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.82/2010 under Sections 498A/406 IPC registered at P.S Binda Pur, Delhi and the proceedings emanating therefrom.
2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on 26.11.2000 as per Hindu rites and ceremonies and they were blessed with a son on 25.05.2002. He submits that the parties could however, thereafter, not live together due to temperamental differences and the respondent no.2 left her matrimonial home on 15.08.2009, whereafter she filed a complaint against the petitioner leading to the filing of the captioned FIR.
3. Learned counsel for the petitioner further submits that after the

registration of the aforesaid FIR, the parties have decided to resolve their disputes with the intervention of the senior members of the family and accordingly, they have decided to part ways. He submits that as a consequence, the marriage between the parties already stands dissolved vide a decree of divorce passed on 29.06.2015 by the learned Family Courts, Tis Hazari Courts, Delhi. He further submits that the petitioner has already paid the agreed amount of Rs.2 lakhs to the respondent no.2.

4. The petitioner as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 who states that she has resolved her disputes with the petitioner out of her own free will and without any coercion and has received the entire agreed amount. She further states that she does not want to pursue the aforesaid criminal proceedings as she wants to move on in life and does not want any acrimony in her future life and therefore, prays that the FIR and the consequential proceedings be quashed.

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, 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. For the aforesaid reasons, the petition is allowed and the captioned FIR is quashed, subject to the petitioner paying a sum of

Rs.5,000/- as costs with Delhi High Court Advocates Welfare Trust within two weeks. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

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

REKHA PALLI, J

OCTOBER 31, 2018

gm