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

+ CRL.M.C. 4711/2018

AMIT JOSHI & ORS. Petitioners

Through: Mr.Jagmohan Singh, Adv. with
petitioners in person.

versus

THE STATE & ANR. Respondents

Through: Ms.Manjeet Arya, APP for the State
with ASI Jaivir Singh, PS, S.M.
Delhi.
Mr.Ashutosh Mishra, Adv. for R-2
with R-2 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **04.12.2018**

1. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No. 0131/2016 u/s 498A/406/34 IPC registered at P.S. Subzi Mandi, Delhi and all proceedings emanating therefrom, based on a Memorandum of Understanding dated 17.07.2018 entered into by the parties.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and respondent no.2 was solemnized on 24.10.2013 as per Hindu rites and ceremonies. However, due to temperamental differences, the respondent no.2 left her matrimonial home and lodged a complaint against the petitioners leading to

registration of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that even after the registration of the aforesaid FIR, the parties made an attempt to reside together but their attempt to reconcile their differences failed. However, the parties have now decided to resolve their disputes amicably and have entered into a Memorandum of Understanding dated 17.07.2018. He submits that pursuant to the said settlement, the marriage between the petitioner no.1 and respondent no.2 has been dissolved by a decree of divorce passed by the learned Family Judge, Tis Hazari Courts. He, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

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 submits 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 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, 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 consequential

proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.25,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within one week 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

DECEMBER 04, 2018

gm