

\$~4

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4678/2018 & Crl.M.A. No.32064/2018 (for exemption)
YOGESH & ORS Petitioners
Through: Mr.R.P.S. Bhatti, Adv. with
petitioners in person.

versus

THE STATE (GOVT OF NCT OF DELHI) & ANR..... Respondents
Through: Mr.Mukesh Kumar, APP for the State
with SI Shikshit Kumar, PS Jyoti
Nagar.
R-2 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **26.10.2018**

1. Vide the present petition, the petitioners seek quashing of FIR No.892/2014 under Sections 498A/406/34 of the IPC and Section 4 of the Dowry Prohibition Act registered at PS Jyoti Nagar, on the basis of a settlement arrived at by the parties before the Delhi Mediation Centre, Karkardooma Courts on 11.05.2018.
2. Learned counsel for the petitioners submits that the marriage between the respondent no.2 and Late Shri Lokender, the son of the petitioner no.2 was solemnised on 16.04.2006 and two sons were born out of the said wedlock. The aforesaid Shri Lokender expired on 06.01.2013 whereafter, some misunderstandings arose between the petitioners and the respondent no.2, leading to the filing of a

complaint by the respondent no.2, which further culminated into the registration of the captioned FIR. However, with the intervention of the Delhi Mediation Centre, Karkardooma Courts, the parties have now arrived at a settlement and the petitioners have agreed that the respondent no.2 will have the custody of one minor child namely, Master Ayush and the petitioners will have the custody of the other minor child namely, Master Shushank. Learned counsel for the petitioners, therefore, prays that the FIR and the proceedings emanating therefrom be quashed.

3. All the petitioners 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 submits that she has entered into the settlement of her own free will and without any coercion. She states that keeping in view the fact that she has been given the custody of one son as also the right to meet her other son and live in her matrimonial home as and when she desires, she does not wish to pursue the criminal proceedings any further. She, therefore, prays that the proceedings be quashed so that she can bring up her minor son in a peaceful manner.

4. I have considered the submissions of the parties and perused the record. Keeping in view the fact that the complainant/respondent no.2 is a widow, who has categorically stated that her disputes with the petitioners stand resolved and she wants to end the criminal proceedings, no useful purpose will be served in continuing the present proceedings. In my view, the ends of justice demand that the present proceedings be quashed.

5. Accordingly, the petition is allowed and FIR No.892/2014 under Sections 498A/406/34 IPC registered at PS Jyoti Nagar, Delhi is quashed, subject to the petitioners depositing a sum of Rs.25,000/- with the Delhi High Court Staff Welfare Fund, within four weeks from today. A copy of receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

6. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 26, 2018

gm