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

+ **CRL.M.C. 4956/2018**

PRABHPREET SINGH & ORS

..... Petitioners

Through: Mr.Yogesh Kumar with Mr.Ashish
Sharma & Mr.A.P.S. Jadaun, Advs.
with petitioners in person.

versus

STATE (GOVT OF NCT) & ANR

..... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Kamal Singh, PS Amar
Colony.
Mr.Ramesh Sethi, Adv. with R-2 in
person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **29.10.2018**

1. Vide the present petition, the petitioners pray for quashing of FIR No. 526/2013 under Sections 498A/406 IPC registered at PS Amar Colony on the basis of settlement recorded on 08.02.2017 before the Mediation Centre, Saket Courts, New Delhi.
2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 05.12.2012, but due to temperamental differences, the parties could not reside together and a complaint was made by the respondent no.2, leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioner submits that the parties have now settled their disputes with the intervention of the Mediation Centre, Saket Courts and a decree of divorce has already been passed by the learned Family Court dissolving the marriage between the petitioner no.1 and the respondent no.2 by mutual consent. He further submits that the entire agreed amount of Rs.3,80,000/- has already been paid to the respondent no.2. He therefore, prays that in view of the settlement and the agreed amount having already been paid to respondent no.2, the FIR and the consequential proceedings 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 interacted with the respondent no.2 who states that she has entered into the aforesaid settlement with the petitioner out of her own free will and without any coercion. She submits that in view of the fact that her marriage with petitioner no.2 having already been dissolved, she does not wish to pursue the aforesaid criminal proceedings as she wants to move her life and therefore, does not want any acrimony and hardship in her future life.

5. Having considered the submissions of learned counsel for the parties and perused the record and keeping in view the fact that the present FIR emanates out of a matrimonial dispute, which now stands resolved between the parties, I am of the view that no useful purpose will be served in continuing the criminal proceedings when the parties have already resolved their differences and want to move on in life. Interest of justice demands that the FIR and all consequential

proceedings be quashed.

6. Accordingly, the petition is allowed and the FIR No. 526/2013 under Sections 498A/406 IPC registered at PS Amar Colony and proceedings emanating therefrom are quashed, subject to the petitioners depositing a sum of Rs.25,000/- as costs with the Delhi High Court Advocates Welfare Trust, within two 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.

7. The petition is disposed of.

REKHA PALLI, J

OCTOBER 29, 2018

gm