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

+ **CRL.M.C. 5300/2018**

VIPIN RAJBHAR & ORS.

..... Petitioner

Through Mr.Abhishek Ranjan, Adv with
Mr.S.P.Rana, Adv.

versus

STATE & ANR.

..... Respondent

Through Mr.Raghuvinder Verma, APP with SI
Rinku Bhakar, PS Ranhola.
Mr.P.C.Jha, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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13.12.2018

1. Vide the present petition u/s 482 Cr.P.C, the petitioners seek quashing of FIR No.0754/2016 u/s 498A/406/34 IPC registered at Police Station Ranhola, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties on 01.08.2017 under the aegis of the Delhi Mediation Centre, Tis Hazari Courts.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 26.05.2013 as per Hindu rites and ceremonies. However, due to temperamental differences, the parties could not reside together for long and the respondent no.2 left her matrimonial home in 2016. She thereafter made a complaint against the petitioners on 16.05.2016

leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that the parties have now arrived at a settlement under the aegis of the Delhi Mediation Centre, Tis Hazari Courts dated 01.08.2017, as per which, the petitioner no.1 and the respondent no.2 have decided to part ways amicably. He submits that as per the settlement, a decree of divorce dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court on 24.07.2018 and the entire agreed amount of Rs.1,70,000/- has already been paid to the respondent no.2. He states that the petitioners volunteer to pay costs as may be directed by this Court and, 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. Respondent no.2 is also represented by a counsel. 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 settlement without any coercion. She further states that she has received the entire agreed amount and does not want the criminal proceedings to continue 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 captioned 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 captioned FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioners depositing a sum of Rs.10,000/- to the BSF Welfare Fund, account no. 10591438648, IFSC Code- SBIN0007837 within four 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

DECEMBER 13, 2018

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