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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5002/2018 & CRL.M.A.33273/2018 (for exemption)

MANISH GAHLOT & ORS

..... Petitioners

Through

Mr.Rajiv Mohan, Adv. with Mr.M.A.
Karthik, Adv., Mr.Tejasva Mehra,
Adv., Mr.Ankur Modi with
petitioners in person.

versus

STATE (GNCT OF DELHI) & ANR

..... Respondents

Through

Mr.Amit Chadha, APP for the State
with SI Manju Chahar, PS Dwarka
North.
Ms.Vaishali Girsra, respondent no.2 in
person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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22.10.2018

1. Vide the present petition, the petitioners pray for quashing of FIR No.309/17 registered under Sections 342/354(B)/354 & 34 IPC at Police Station Dwarka North, and all consequential proceedings emanating from the said FIR. The aforesaid FIR was registered pursuant to a complaint by respondent no.2 who is the wife of respondent no.1.

2. Learned counsel for the petitioners submits that though the respondent no.2 had levelled allegations not only against her husband, i.e. petitioner no.1 but also against the other three petitioners who are his sister and friends and have nothing to do with the matrimonial discord between petitioner no.1 and respondent no.2. He submits that

the parties have now resolved their differences as per settlement recorded before the Court of learned Special Judge, CBI (PC) Court, Dwarka and states that pursuant to the said settlement, a decree of divorce by mutual consent has been passed between the petitioner no.1 and respondent no.2 on 05.07 2018 and there are no pending disputes between them.

3. The petitioners as also the respondent no.2 are present in Court and are identified by the Investigating Officer. I have interacted with respondent no.2 in the Chamber, who states that she has resolved her differences with the petitioners. She states that the allegations made by her as recorded in the FIR were done in the heat of the moment and she does not have any surviving grievance qua any of the petitioners.

4. Keeping in view the fact that the parties have already settled their dispute and petitioner no.1 and respondent no.2 have dissolved their marriage by mutual consent, no useful purpose would be served in continuing with the present proceedings which were basically emanating from a matrimonial.

5. Accordingly, in the interest of justice, the FIR No.309/17 registered under Sections 342/354(B)/354 & 34 IPC at Police Station Dwarka North and all consequential proceedings emanating therefrom, are quashed subject to the petitioners paying a sum of Rs.50,000/- to the Delhi High Court Lawyers Welfare Trust. The costs be deposited by the petitioners within one week. The receipt of deposit of costs will be filed with the Registry.

6. The petition is disposed of along with pending application.

OCTOBER 22, 2018/aa

REKHA PALLI, J