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

+ CRL.M.C. 5839/2018 and Crl. M.A. nos. 47649-50/2018

DIPESH @ VINOD & ANR.

..... Petitioners

Through Mr. Deepak Gupta and Mr. Santosh
Kumar Sahu, Advs.

Versus

STATE (NCT OF DELHI) & ANR.

..... Respondents

Through Mr. Manjeet Singh Oberoi, APP with
SI Mohd. Kafeel, P.S. Badar Pur
Respondent no.2 in person with
counsel (attendance slip not given)

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **20.11.2018**

Notice. Learned APP accepts notice for respondent no. 1.
Respondent no.2 Mr. Lalit Sharma is present in Court along with his counsel
and accepts notice. He has been identified by SI Mohd. Kafeel of police
station Badarpur.

It is submitted that initially FIR no. 261/2009 was registered under
Sections 498-A/304-B/34 IPC at police station Badar Pur on the complaint
of respondent no. 2 (brother of deceased). After the investigation, charge-

sheet was filed under Sections 498-A-34 IPC. Vide order dated 25th October, 2016 trial court framed charges under Sections 498-A/34 IPC only. Trial court noted in the order that deceased Rekha Sharma died due to tuberculosis. Petitioners were discharged for the offence under Section 406 IPC also. Trial is pending against the petitioners for the offences under Sections 498-A/34 IPC. It is submitted that petitioners and respondent no.2 have settled their disputes amicably before the Mediation Centre, Saket Courts, New Delhi on 19th May, 2018; therefore, aforesaid FIR and consequent proceedings arising therefrom for the offences under Sections 498-A/34 IPC may be quashed. Respondent no. 2 says that he has settled the matter with the petitioners of his own free will and without any undue force, pressure or coercion. Respondent no. 2 further says that he has no objection in case aforesaid FIR and consequent proceedings emanating therefrom are quashed for the offences under Sections 498-A/34 IPC.

Keeping in mind the settlement arrived at between the petitioners and respondent no. 2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR and consequent proceedings emanating therefrom for the offences under Sections 498-A/34 IPC are quashed.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

NOVEMBER 20, 2018
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