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

+ **CRL.M.C. 5489/2018 & Crl.M.A. Nos.35163/2018 & 35162/2018**

SURESH CHANDER & ORS

..... Petitioners

Through

Mr.Harpreet Singh, Adv. with
Mr.A.S. Jujeja, Adv. & petitioners
in person.

versus

STATE & ANR

..... Respondents

Through

Mr.Raghuvinder Verma, APP for
the State.
SI Vipin Kumar, PS Kalyan Puri.
Mr.Mukesh Verma, Adv. with
Respondent No.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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03.12.2018

1. At the outset, learned counsel for the petitioners submits that the averment in the list of dates stating that there was a marriage between the petitioner no.1 and the respondent no.2, is erroneous and has occurred due to a technical glitch on his part. He prays that the said averment may be ignored and submits that the marriage between the petitioner no.1 and the respondent no.2's daughter was only fixed initially but could not materialise due to differences which arose between the parties at that stage itself.

2. The aforesaid explanation is accepted but the counsel is directed to be careful in future.

3. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.391/2008 under Section 406 IPC and 3/4 of D.P. Act registered at PS Kalyan Puri, Delhi and the proceedings emanating therefrom on the basis of a settlement arrived at before the Delhi Mediation Centre, Karkardooma Courts, Delhi on 5th September, 2018.

4. Learned counsel for the petitioners submits that the respondent no.2 in search of a suitable groom for marriage of his daughter namely Ms.Babita, had approached the respondent nos.4 & 5 in November, 2007 who suggested the name of petitioner no.2, son of petitioner no.1 and nephew of petitioner no.3 & 7 whereafter the petitioner no.2 and respondent no.2's daughter engaged in a simple ceremony by exchange of sweets etc. but due to some subsequent misunderstanding, the talks of marriage failed. Consequently, respondent no.2 made a complaint levelling allegations of demand of dowry not only against the petitioner nos.1 to 3 & 7 but also against the petitioner nos.4 to 6 who had only acted as the mediator of the said match.

5. Mr.Harpeet Singh submits that the parties have now arrived at a settlement before the Delhi Mediation Centre, Karkardooma Courts, Delhi and decided to resolve their disputes amicably. He further submits that the petitioners have already paid the agreed sum of Rs.15,000/- to the respondent no.2 and, therefore, prays that the FIR and all consequential proceedings be quashed.

6. The petitioners as also the respondent no.2 are present in Court today and have been identified by the Investigating Officer. The

respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2, who states that he has decided to resolve his differences with the petitioners of his own free will and has entered into the aforesaid settlement dated 5th September, 2018 without any coercion. He further states that he has already received the agreed amount of Rs.15,000/- and now his daughter is already married to somebody else. He, therefore, does not want the aforesaid proceedings to continue as it will not only cause further acrimony with the petitioners but is also likely to affect the happy married life of his daughter.

7. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the present FIR emanates from a dispute which arose between the daughter of the respondent no.2 and the petitioner no.2, no useful purpose would be served in continuing with the criminal proceedings when the parties themselves have resolved their disputes amicably and want to move on in life. The ends of justice demand that the FIR and consequential proceedings be quashed.

8. Accordingly, the petition is allowed and the captioned FIR and consequential proceedings are quashed subject to the petitioners paying a sum of Rs.20,000/- as costs to the Home for Leprosy & T.B. Affected Beggars, Tahir Pur, Shahdara, Delhi-110 093, within four weeks. A copy of this order be sent to the Superintendent, Home for Leprosy & T.B. Affected Beggars for information. A copy of the receipt of payment of costs will be handed over to the Investigating Officer for production before the Trial Court.

9. The petition and pending applications are disposed of in the above terms.

DECEMBER 03, 2018/aa

REKHA PALLI, J