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

+ **CRL.M.C. 5553/2018 & CRL.M.A. 35402/2018**

YOGINDER SINGH

..... Petitioner

Through Mr.D.S.Chauhan, Adv.

versus

STATE & ANR.

..... Respondent

Through Ms.Manjeet Arya, APP with ASI
Aman Kumar.

Mr.Sudhir Balya, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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31.10.2018

1. Vide the present petition u/s 482 CrPC, the petitioner seeks quashing of FIR No.1128/2015 u/s 354(C)/509/206 IPC and 66 (A) Information Technology Act registered at P.S K.M.PUR, Delhi and all consequential proceeding emanating therefrom.

2. Mr.D.S.Chauhan, learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on 21.02.2009 as per Hindu rites and ceremonies and they were blessed with a baby girl on 22.09.2011, but subsequently they could not adjust with each other due to temperamental differences and started living separately w.e.f 18.05.2012. As a result thereof, the respondent no.2 made a complaint against the petitioners leading to the registration of the aforesaid FIR.

3. Mr. Chauhan submits that the parties, have now arrived at a settlement before the Mediation Centre, Saket Court, Delhi on 06.11.2017 pursuant where to petitioner no.1 and respondent no.2 have decided to part ways. He submits that consequently a decree of divorce dissolving the marriage between petitioner and respondent no.2 has already been passed by the learned Family Court on 07.03.2018. He further submits that the entire agreed amount of Rs.22 lakhs as per the settlement agreement has already been paid to the respondent no.2 and he, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioner as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioner 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 to pursue the aforesaid criminal proceedings 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 present 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 FIR and consequent

proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR is quashed, subject to the petitioner depositing a sum of Rs.20,000/- to the Delhi High Court Advocates Welfare Trust within four weeks from today. A copy of the receipt will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition alongwith the pending application is disposed of in the above terms.

REKHA PALLI, J

OCTOBER 31, 2018

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