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

+ CRL.M.C. 5212/2018, CRL MA 34040/2018

SANDEEP KUMAR & ORS Petitioners
Through Mr. Gaurav Kochar, Adv

versus

THE STATE (NCT OF DELHI) & ORS Respondents
Through Ms. Aashaa Tiwari, APP for State
SI Sonu, PS Seema Puri
Mr. Nitin Arora, Adv for R-2 & 3
with R-2 & 3 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **10.10.2018**

Notice. Learned APP accepts notice on behalf of respondent no.1. Respondent nos. 2 and 3 are present in court along with their counsel and accept notice. They have been identified by SI Sonu of police station Seema Puri.

FIR No.809/2014 under sections 498A/304B IPC was registered at police station Seema Puri on the complaint of respondent no.2 Sadhu Ram, father of the deceased. During investigation, offence under section 34 IPC was also added. Petitioner nos. 2 and 3 are parents of petitioner no.1. It is submitted that petitioners were discharged for offence under section 304B IPC by the Trial Court vide order dated 28th January, 2015. Respondent no.1/State preferred Crl Rev. P. 460/2015 titled as State (Govt. of NCT) vs. Sandeep Kumar & Ors. against the order of discharge which was dismissed by

the learned Single Judge of this Court vide judgment dated 19th September, 2016. Copy of the judgment has been produced before the Court and has been perused.

Trial is pending only for the offences under sections 498A/34 IPC. During the trial, petitioners and respondent nos. 2 and 3 have settled their disputes vide Compromise Deed dated 18th September, 2018. It is submitted that in view of the settlement, the aforesaid FIR under sections 498A/34 IPC and the consequent proceedings emanating therefrom, may be quashed.

Respondent nos. 2 and 3 admit that the matter has been settled with the petitioners of their own free will and without any undue force, pressure or coercion in terms of the Compromise Deed dated 18th September, 2018. They further submit that they have no objection in case FIR No.809/2014 under sections 498A/34 IPC registered at police station Seema Puri and the consequent proceedings are quashed against the petitioners.

Keeping in mind the settlement arrived at between the petitioners and respondent nos. 2 and 3 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 the consequent proceedings for the offence under Section 498/34 IPC are quashed.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. *Dasti*.

A.K. PATHAK, J

OCTOBER 10, 2018/sm