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

+ CRL.M.C. 5434/2018

DEVENDER & ORS.

..... Petitioners

Through: Mr.Vinay Kumar Sharma, Mr.Vinod
Khanna & Ms.Yashima Sharma,
Advs. with petitioners in person.

versus

STATE & ORS.

..... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with SI Amit Solanki, PS
Vasant Vihar.
Mr.Deepak Kumar, APP for the State
with R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **15.11.2018**

1. Vide the present petition under Section 482 Cr.P.C, the petitioners seek quashing of FIR No.1781/2015 under Sections 498A/406/34 IPC registered at Police Station Vasant Vihar (South), Delhi and all proceedings emanating therefrom, based on a settlement dated 08.09.2017 arrived at by the parties before the Family Courts, Patiala House, New Delhi.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 04.02.2014 as per Hindu rites and ceremonies, but due to temperamental differences, they could not live together. Consequently, the respondent no.2 filed a complaint against the petitioners, leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners submits that the parties have

now resolved their disputes and under the aegis of Family Courts Patiala House, New Delhi have arrived at a settlement on 08.09.2017, whereby the petitioner no.1 and respondent no.2 have decided to part ways amicably. He submits that a decree of divorce by mutual consent dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court, Patiala House Courts, New Delhi on 16.03.2018 and the entire agreed amount of Rs.8,50,00/- has been paid to the respondent no.2. He, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. Respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners of her own free will and has entered into the aforesaid settlement without any coercion. She further states that she has received the entire agreed amount and does not want the aforesaid criminal proceedings to continue any further 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 want to move on in life. In my view, the ends of justice demand that the FIR and consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum

of Rs.10,000/- to the Delhi High Court Staff Welfare Fund within two weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 15, 2018

gm