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

+ **CRL.M.C. 5416/2018**

HEMANT JISORIA @ RINKU & ORS Petitioners

Through : Mr.Rohit Dahiya, Advocate along with
petitioners present in person.

versus

THE STATE & ANR Respondents

Through : Mr.Raghuvinder Varma, APP.
Mr.Vijayender Verma, Advocate, for R-2
along with respondent No.2 present in
person.
SI Pritam Singh.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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16.11.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.222/2013 u/s 406/498A IPC registered at Police Station Subhash Place, Delhi and all proceedings emanating therefrom based on a settlement deed dated 27.03.2018.

2. Mr.Rohit Dahiya, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 11.12.2000 as per Hindu rites and ceremonies. However, due to temperamental differences, they could not adjust with each other and, therefore, started living separately w.e.f. 08.08.2008. As a result thereof, the respondent no.2 made a

complaint against the petitioners, leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioner further submits that the parties have now resolved their differences and have arrived at settlement dated 27.03.2018 under the agis of the Delhi Mediation Centre, Rohini District Courts, Delhi, pursuant whereeto, the petitioner no.1 and respondent no.2 have decided to part ways. Furthermore, a decree of divorce dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court, Rohini on 18.09.2018 and the entire agreed amount of Rs.1,20,000/- has already been paid to the respondent no.2. He further submits that the petitioners volunteer to pay costs as may be directed by this Court and 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. I have also 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 settlement without any coercion. She further states that since she has already received the entire agreed amount, she does not want the aforesaid criminal proceedings to continue 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, I am of the considered opinion that 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. The ends of justice demand that the FIR and consequent proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.10,000/- as costs to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within two weeks from today. A copy of the receipt of costs 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.

NOVEMBER 16, 2018/sa