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

+ **CRL.M.C. 5452/2018**

RAJENDER SINGH RAWAT & ORS Petitioners

Through: Ms. Shalini Goswami, Adv.
for P-1 to 3.

versus

STATE & ANR Respondents

Through: Mr. Mukesh Kumar, APP
Mr. Nishant Solanki, Adv. for R-2.
ASI Ram Niwas, PS Bindapur, ND.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **29.10.2018**

CrI.M.A.35052/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 5452/2018

1. Vide the present petition under Section 482 Cr.PC, the petitioner seeks quashing of FIR No.467/2016 under Sections 498A/406/34 IPC, PS Bindapur, New Delhi.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and respondent no.2 was solemnized on 29th November, 2010 but due to temperamental differences, they started living separately with effect from 1st November, 2015, whereafter the respondent no.2 filed a complaint leading to the registration of the aforesaid FIR. He further submits that after the registration of the aforesaid FIR, the parties have, with the

intervention of the senior members of their family, settled their disputes and have decided to part ways. She further submits that the marriage between the petitioner no.1 and respondent no.2 already stands dissolved by mutual consent and the petitioner no.1 has paid the entire agreed amount of Rs.5,50,000/- to the respondent no.2.

3. All the petitioners as also the respondent no.2 are present in Court and have been duly identified by the Investigating Officer. I have interacted with the respondent no.2 who submits that she has entered into the aforesaid agreement out of her own free will without any coercion and, therefore, prays that, since her marriage with petitioner no.1 now stands dissolved by mutual consent, the aforesaid FIR and consequential proceedings be quashed.

4. Having considered the submissions of the learned counsel for the parties, I am of the opinion that that no useful purpose would be served in continuing with the criminal proceedings emanating from the captioned FIR, as the same emanate from matrimonial dispute which now stands resolved.

5. Accordingly, in the interests of justice and petition is allowed and the captioned FIR and all consequential proceedings emanating therefrom are quashed, subject to the petitioners' depositing a sum of Rs.20,000/- with Delhi High Court Advocates Welfare Trust within two weeks.

6. The petition is allowed in the aforesaid terms.

REKHA PALLI, J

OCTOBER 29, 2018/ak