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

+ CRL.M.C. 3362/2017

PUNEET MEHAN & ORS

..... Petitioners

Through Mr. Sameer Chandra, Mr. Vineet
Jindal and Mr. Tushar Chhabra, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through Mr. M.P. Singh, APP with SI Gaurav,
P.S. Rani Bagh for respondent no. 1
Mr. Gaurav Tyagi, Adv. with
respondent no. 2 in person

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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31.01.2018

By this petition under Section 482 Cr.P.C., petitioners have prayed for quashing of FIR No.36/2014 under Section 377 IPC registered at Police Station Rani Bagh, on the complaint of respondent no. 2. It is submitted that marriage of petitioner no. 1 and respondent no. 2 was solemnized on 25th April, 2012. Since 30th April, 2012 petitioner no. 1 and respondent no. 2 started living separately. Respondent no. 2 lodged the aforesaid FIR with the allegation that petitioner performed oral sex with her after the marriage. Petitioner nos. 2, 3 and 5 are father, uncle and aunt of petitioner no. 1. It

was alleged that they harassed her during her stay in the matrimonial home. Petitioner no. 1 also filed a criminal complaint case under Sections 406/420/34 IPC in the court of learned Metropolitan Magistrate, Rohini Courts, Delhi. It is submitted that petitioner no. 1 and respondent no. 2 have settled their disputes amicably.

Respondent no. 2 Ms. Shilpa Sarna is present in Court along with her counsel and has been identified by SI Gaurav of police station Rani Bagh. Respondent no. 2 submits that she has settled the matter with the petitioner no. 1 of her own free will and without any undue force, pressure or coercion. Respondent no. 2 says that her marriage with petitioner no. 1 has already been dissolved by a decree of divorce by mutual consent on 7th February, 2017 passed by the Family Courts, North West District, Rohini Courts, Delhi. Petitioner no. 1 has paid ₹5 lacs to the respondent no. 2 vide a demand draft, photocopy whereof has been placed on record. Respondent no. 2 submits that entire settled amount of ₹15 lacs stands paid with this payment. Respondent no. 2 further submits that she has no objection in case FIR is quashed against the petitioner no.1 and his relatives, that is, petitioner nos. 2 to 4.

Keeping in view the settlement arrived at between the parties and that

marriage between the petitioner no. 1 and respondent no. 2 has already been dissolved, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, FIR No.36/2014 under Section 377 IPC registered at Police Station Rani Bagh and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

JANUARY 31, 2018

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