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

+ **CRL.M.C. 5594/2018 & Crl.M.A. No.35552/2018**

RAHUL KUMAR KANOMIA & ORS. Petitioners

Through: Mr.Abhishek Garg, Adv. with
petitioners in person.

versus

STATE & ANR. Respondents

Through: Mr.Amit Chadha, APP for the State
with ASI Dharamvir Singh, PS
Welcome.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **01.11.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No.0046/2017 under Sections 498A/406/34 IPC registered at P.S. Welcome, Delhi and the proceedings emanating therefrom on the basis of a settlement dated 12.02.2018 arrived at between the parties before Delhi Mediation Centre.

2. Learned counsel for the petitioner submits that the marriage between the petitioner and the respondent no.2 was solemnised on 12.02.2016 as per Hindu rites and ceremonies. He submits that thereafter, the parties could however, not live together due to

temperamental differences and in these circumstances, the respondent no.2 left her matrimonial home on 02.10.2016, whereafter she filed a complaint against the petitioners leading to the filing of the captioned FIR.

3. Learned counsel for the petitioner further submits that after the registration of the aforesaid FIR, the parties have decided to resolve their disputes and have entered into a settlement dated 12.02.2018 before Delhi Mediation Centre, Karkardooma Courts, Delhi and accordingly, they have decided to part ways. He submits that based on the aforesaid settlement, the marriage between the parties already stands dissolved vide a decree of divorce passed on 14.09.2018 by the learned Family Court, Karkardooma Courts, Delhi. He further submits that the petitioner has already paid the entire agreed amount to the respondent no.2. He therefore, prays that the FIR and the consequential proceedings be quashed.

4. The petitioner as also the respondent no.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 who states that she has resolved her disputes with the petitioner out of her own free will and without any coercion and has received the entire agreed amount of Rs.11 lakhs. She further states that she does not want to pursue the aforesaid criminal proceedings as she wants to move on in life and does not want any acrimony in her future life and therefore, prays that the FIR and the consequential proceedings be quashed.

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, the ends of justice demand that the present proceedings be quashed, as no useful purpose will be served in continuing the criminal proceedings when the parties have already resolved their differences and want to move on in life.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and the proceedings emanating therefrom are quashed, subject to the petitioners paying a sum of Rs.25,000/- as costs with Delhi High Court Staff Welfare Fund within two weeks. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

7. The petition along with the pending application is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 01, 2018

gm