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

+ CRL.M.C. 5515/2018 & CRL.M.A. 35250/2018

LALIT MOHAN KAUSHIK & ORS.

..... Petitioner

Through Mr.Ravinder Yadav with Mr.Vinayak
Sharma, Advs.

versus

STATE & ANR.

..... Respondent

Through Mr.Raghuvinder Verma, APP with SI
Rahul Kumar, PS Shakarpur.
Mr.Shambhu Datt Sharma, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.10.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.276/2004 u/s 406/498A/34 IPC registered at P.S Shakarpur, Delhi.
2. Mr.Ravinder Yadav, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 11.03.2002 as per Hindu rites and ceremonies but they could not adjust with each other due to temperamental differences, the respondent no.2 then made a complaint against the petitioners leading to the registration of the aforesaid FIR.
3. Mr. Yadav submits that the parties, with the intervention of the elders of the family, have now arrived at a settlement before the learned Mahila Court-01/East/KKD, Delhi on 16.10.2017 and the

petitioner no.1 as also the respondent no.2 have decided to part ways, pursuant whereeto, a decree of divorce has already been passed by the learned Family Court on 14.03.2018, thereby dissolving the marriage between petitioner no.1 and respondent no.2. He further submits that the entire amount of Rs.12 lakhs as per settlement agreement has already been paid to the respondent no.2 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 the entire agreed amount has been paid to her. She further states that she does not want to pursue the aforesaid criminal proceedings 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, 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 themselves have already resolved their differences and want to move on in life.

6. Accordingly, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.25,000/- 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 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

OCTOBER 30, 2018

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