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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5522/2018 & CrI.M.A 35289/2018**
AMIT & ANR

..... Petitioner

Through: Mr.S.S. Rajore, Adv.

versus

GOVT OF NCT OF DELHI & ANR

..... Respondent

Through: Mr. Mukesh Kumar, APP for the
State
Mr. P.K. Srivastava, Adv. for R-2
S.I. Vipin Kumar, PS- Kalyanpuri

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **30.10.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioners prays for quashing of FIR No. 751/2013 under section 498A/406/34IPC registered at Police Station Kalyanpuri, on the basis of a settlement deed dated 28.06.2016.

2. Mr. S.S. Rajore, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised according to Hindu rites and ceremonies on 06.11.2011 but due to temperamental differences the parties started living separately w.e.f. 15.07.2013, whereafter the respondent no.2 lodged a complaint against the petitioners, leading to the registration of the captioned FIR. He further submits that after the registration of the captioned FIR, the parties with the intervention of the elders of the

family, have resolved their differences and decided to part ways and live peacefully without interfering in each other's life. He further submits that pursuant to the settlement the entire agreed amount of Rs.2 lakhs has already been paid to respondent no.2 and therefore, prays that the FIR and consequential proceedings be quashed.

3. The petitioner and respondent no.2 are present in Court and have been identified by the Investigating Officer. I have interacted with the respondent no.2 and her father who submit that they have voluntarily settled their disputes with the petitioners without any coercion. They submit that the respondent no.2 does not wish to pursue the aforesaid proceedings any further as she wants to move in life and therefore, prays that the FIR and proceedings emanating therefrom be quashed.

4. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the parties have obtained a decree of divorce by mutual consent on 28.09.2018 by the learned Family Court, Karkardooma Court and the entire agreed amount has already been paid to the respondent no.2, I am of the view that no useful purpose will be served in continuing with the present criminal proceedings, as the same basically emanate from a matrimonial dispute which now stands resolved.

5. For the aforesaid reasons, the petition is allowed and the captioned FIR alongwith all consequential proceedings is quashed, subject to the petitioners paying a sum of Rs.10,000/- 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 of deposit of costs will be handed over to the Investigating Officer for production before the learned Trial Court.

6. The petition alongwith the pending application is disposed of in the above terms pending application.

OCTOBER 30, 2018/tp

REKHA PALLI, J