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

+ **CRL.M.C. 5557/2018**

SAHIL RAJPUT & ORS

..... Petitioners

Through: Mr.C.L. Dhawan, Adv. with
petitioners in person.

versus

STATE & ANR

..... Respondents

Through: Mr.Raghuvinder Verma, APP with SI
Nikhil Singh, PS New Ashok Nagar.
Ms.Shweta Sree, Adv. with R-2 in
person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.11.2018

1. Vide the present petition u/s 482 Cr.P.C, the petitioners seek quashing of FIR No.437/2016 u/s 498A/406/506/34 IPC registered at Police Station Ashok Nagar, Delhi along with all proceedings emanating therefrom.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 25.07.2015 as per Hindu rites and ceremonies. However, due to temperamental differences, the parties could not reside together and the respondent no.2 left her matrimonial home on 25.03.2015, whereafter, she filed a complaint against the petitioners leading to the registration of the captioned FIR against

them.

3. Learned counsel for the petitioners submits that the parties have now with the intervention of the common friends resolved their disputes and decided to part ways amicably. He submits that pursuant to the settlement, the marriage between the petitioner no.1 and the respondent no.2 stands dissolved by a decree of divorce passed by the learned Family Courts, Tis Hazari, Delhi on 13.07.2018. He states that the petitioners have already paid the entire agreed amount to the respondent no.2 and, volunteer to pay further costs as may be directed by this Court. He, therefore, prays that the aforesaid FIR and all proceedings emanating therefrom be quashed.

4. The petitioners as also the respondent no.2 along with her mother are present in Court and have been identified by the Investigating Officer. Respondent no.2 is also represented by a counsel. I have interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners and has entered into a settlement with them of her own free will and without any coercion. She further states that she has received the entire agreed amount of Rs.21 lakhs and therefore, does not want the aforesaid criminal proceedings to continue as she wants to move on in life and, does not want any further acrimony with the petitioners. She also therefore, prays that the aforesaid FIR and all proceedings emanating therefrom 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 between the parties, no useful purpose will be served in continuing the criminal proceedings especially when the respondent no.2/complainant herself does not want the proceedings to continue and she wants to move on in life. In my view, the ends of justice demand that the FIR and consequential proceedings emanating therefrom, be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioners paying Rs.30,000/- as costs to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within four weeks from today. A copy of the receipt of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition is disposed of in the above terms.

REKHA PALLI, J

NOVEMBER 30, 2018

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