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

+ **CRL.M.C. 5615/2018 & CRL.MA.35654/2018**

SH. TARUN BANSAL & ANR. Petitioner

Through Dr.L.S.Chaudhary with Mr.Ajay
Chaudhary, Advs with Petitioners in Person.

versus

STATE & ANR. Respondent

Through Ms.Manjeet Arya, APP with SI Vipin
Kumar, PS Kalyanpuri.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **02.11.2018**

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.9/2014 u/s 498A/406/34 IPC registered at Police Station Kalyanpuri, Delhi and all proceedings emanating therefrom, based on a settlement deed dated 27.01.2018 arrived at by the parties before the Family Court, East District, Karkardooma Courts.

2. Dr.L.S.Chaudhary, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 28.11.2011 as per Hindu rites and ceremonies, but subsequently they could not adjust with each other due to temperamental differences and started living separately w.e.f 26.03.2013. As a result thereof, the respondent no.2 made a complaint against the petitioners leading to the registration of the

aforesaid FIR.

3. Dr.L.S.Chaudhary submits that the parties, have now arrived at a settlement before the Family Court, East District, Karkardooma Courts on 27.01.2018, pursuant where to the petitioner no.1 and respondent no.2 have decided to part ways. He submits that consequently a decree of divorce dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court on 23.08.2018. He further submits that the entire agreed amount of Rs.9 lakhs as per the settlement agreement has already been paid to the respondent no.2 and he, 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 has entered into the settlement without any coercion. She further states that she has received the entire agreed amount and 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, 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. In my view, the ends of justice demand that the FIR and consequent proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.15,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within 10 days from today. A copy of the receipt of deposit of costs 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

NOVEMBER 02, 2018

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