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

+ CRL.M.C. 5693/2018 & CrI.M.A. No.35935/2018

PUSHPA GUPTA & ANR.

.... Petitioners

Through: Mr.Murari Choudhary, Adv. with
petitioners in person.

versus

STATE & ANR

..... Respondents

Through: Mr.Raghuvinder Verma, APP for the
State with ASI Jai Kishan, PS Mangol
Puri.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **14.11.2018**

1. Vide the present petition under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.166/1999 under Sections 406/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act registered at Police Station Mangol Puri, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties on 18.02.2013.

2. Learned counsel for the petitioners submits that the marriage of petitioner no.2 was fixed with one Ms. Geeta, daughter of respondent no.2 and a Tikka/Ring ceremony was held on 02.02.1998. However, due to some subsequent misunderstandings between the parties, the marriage could not take place and the respondent no.2

lodged a complaint against the petitioners alleging demand of dowry leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners submits that the parties have now mutually decided to resolve their disputes and have entered into a settlement on 18.02.2013 before the learned Metropolitan Magistrate, Mahila Court, Rohini, whereby the petitioners had agreed to pay a sum of Rs.1 lakh to the respondent no.2. He further submits that out of the agreed amount, the petitioners paid a sum of Rs.70,000/- to respondent no.2 on 30.07.2013, but due to financial difficulties being faced by them, the balance amount was paid to respondent no.2 only in March, 2016. He submits that now the respondent no.2 himself does not wish that the aforesaid criminal proceedings should continue and therefore, prays that the aforesaid FIR and all the consequential proceedings 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 interacted with the respondent no.2, who states that he has entered into a settlement with the petitioners out of his own free will and without any coercion. He further states that his daughter Ms. Geeta is now happily married and he does not want the aforesaid criminal proceedings to continue and therefore prays that the same 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 out of a dispute relating to a proposed marriage between the petitioner no.2 and respondent no.2's daughter, which marriage could never materialize, no useful purpose will be served in

continuing the criminal proceedings when the parties themselves have resolved their differences. In my view, the ends of justice demand that the FIR and the proceedings emanating therefrom be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR is quashed, subject to the petitioners depositing a sum of Rs.20,000/- to the Delhi High Court Advocates Welfare Trust within a week 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 14, 2018

gm