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

+ CRL.M.C. 5654/2018 & CRL MA 35827/2018

SHRI BRIJ GOPAL & ORS.

..... Petitioners

Through Mr. Rashid Hashmi, Adv with  
petitioners in person

versus

STATE & ANR.

..... Respondents

Through Ms. Neelam Sharma, APP for State  
Insp Vijay Kumar & ASI Suresh  
Kumar, PS New Usman Pur  
Mr. Sanjay Soti, Adv for R-2 with R-  
2 in person

**CORAM:**

**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**

% **12.11.2018**

Notice. Learned APP accepts notice for respondent no. 1. Respondent no.2 Virender Kumar Sharma is present in Court along with his counsel and has been identified by Insp. Vijay Kumar of police station New Usman Pur.

FIR No.85/2009 under sections 498A/304B IPC was registered at police station New Usman Pur on the complaint of respondent no.2. After investigations, charge-sheet was filed under sections 498A/304B/406/34 IPC and sections 3 & 4 of Dowry Prohibition Act against the petitioners. Vide order dated 5<sup>th</sup> July, 2013, petitioners were discharged for the offences under sections 304B/406/34 IPC and sections 3 & 4 of Dowry Prohibition Act by Addl. Sessions Judge-01,

Judge (NDPS), Shahdra District, Karkardooma Courts, Delhi. It is submitted that the order was not challenged and hence, the order of discharge of petitioners under sections 304B/406/34 IPC and sections 3 & 4 of Dowry Prohibition Act has become final. It is submitted that now trial is being carried on only for the offence punishable under section 498A/34 IPC against the petitioners.

Learned counsel for petitioners and respondent no.2 submit that the matter has been settled between petitioners and respondent no.2, therefore, the offences involved in the aforesaid FIR, that is, under sections 498A/34 IPC and consequent proceedings emanating therefrom, may be quashed.

Respondent no.2 submits that he has settled the matter with petitioners of his own free will and without any undue force, pressure or coercion and has no objection in case the aforesaid FIR under sections 498A/34 IPC is quashed.

Keeping in mind the settlement arrived at between the petitioners and respondent no.2 voluntarily, in my view, no fruitful purpose would be served to keep the criminal proceedings pending. Accordingly, in the interest of justice, aforesaid FIR under sections 498A/34 IPC and the consequent proceedings emanating therefrom are quashed against the petitioners.

Petition is disposed of in the above terms. Miscellaneous application is disposed of as infructuous. *Dasti*.

**A.K. PATHAK, J**

**NOVEMBER 12, 2018/sm**