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

+ CRL.M.C. 5811/2018 & CRL.M.A. 47577/2018

NAVEEN TIKU & ORS. Petitioner

Through Ms.Neha Kapoor, Adv.

versus

STATE & ANR. Respondent

Through Mr.Mukesh Kumar, APP with SI
Rahul Soni, PS Greater Kailash.
Mr.Rohit Bharadwaj, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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19.11.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0439/2015 u/s 498A/406/34 IPC registered at Police Station Greater Kailash, Delhi and all proceedings emanating therefrom, based on a settlement deed dated 03.10.2018.

2. Ms.Neha Kapoor, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 24.04.2003 as per Hindu rites and ceremonies, but subsequently due to temperamental differences, they could not adjust with each other and started living separately. The respondent no.2 thereafter filed a complaint against the petitioners leading to the registration of the aforesaid FIR.

3. Ms.Neha Kapoor submits that the parties have now, with the intervention of family friends, arrived at a settlement on 03.10.2018,

pursuant whereto the petitioner no.1 and respondent no.2 have decided to part ways. She 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 23.10.2018. She further submits that though the entire agreed amount of Rs.35 lakhs as per the settlement agreement has already been paid to the respondent no.2, the petitioners are willing to bear costs as may be directed by this Court. She, 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, I find that 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 consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR alongwith all proceedings emanating therefrom are quashed. The petitioners will donate books amounting to a value of Rs.50,000/- to the Delhi High Court Bar Association Library. The books will be purchased in consultation with Ms.Rajni Khanna, Chief Librarian of the Delhi High Court Bar Association Library within two weeks. A copy of the acknowledgement will be handed over to the Investigating Officer for production before the learned Trial Court.

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

REKHA PALLI, J

NOVEMBER 19, 2018

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