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

+ CRL.M.C. 5924/2018 & CrI.M.A. No.47959/2018 (for exemption)

AVDHESH & ORS

..... Petitioners

Through Mr.Saurabh Kansal, Adv. with
Ms.Pallavi S. Kansal, Adv. &
Mr.Dishank, Adv. with petitioners in
person.

versus

STATE & ANR

..... Respondents

Through Ms.Manjeet Arya, APP for the State
with SI Sandeep Yadav, PS Mehrauli.
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.11.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0242/2014 registered u/s 498A/406/34 IPC at P.S. Mehrauli, New Delhi and all proceedings emanating therefrom, based on a settlement arrived at by the parties before the Family Court, Saket, New Delhi on 28th September, 2015.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 23.02.2012 as per Hindu rites and ceremonies and they were blessed with two children. However, subsequently, due to temperamental differences they could not adjust with each other and started living separately from the year 2013, leading to the

registration of the captioned FIR against the petitioners on the basis of a complaint made by the respondent no.2.

3. Learned counsel for the petitioners further submits that with the intervention of the senior members of the family, the parties have now resolved their disputes and have entered into a settlement as recorded by the learned Family Court, Saket Courts in its order dated 28th September, 2015, pursuant where to, the parties have been living together for the last more than three years. 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 resolved all her differences with the petitioners out of her own free will and has entered into the settlement without any coercion. She further submits that she is now living a happy married life and does not want the aforesaid criminal proceedings to continue as it will disrupt her matrimonial life. She, therefore, prays that the captioned 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 aforesaid 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

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

REKHA PALLI, J

NOVEMBER 26, 2018/aa