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

+ CRL.M.C. 4135/2017

SAURABH SHARMA & ORS ..... Petitioners

Through: Ms.Mandakini, Advocate with  
petitioners in person

versus

THE STATE & ANR ..... Respondents

Through: Mr.M.S.Oberoi, APP for the State  
with W/SI Koyal PS Nihal Vihar  
Mr.N.S.Yadav, Advocate for R-2  
with R-2 in person

**CORAM:**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**  
**04.05.2018**

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1. The present petition has been filed by the Petitioners under Section 482 Cr.P.C. for quashing of FIR No.745/2014 under Sections 498-A/406/34 IPC, P.S. Nihal Vihar, Delhi as well as consequential proceedings emanating therefrom.

2. Briefly stating the facts of the present case are that respondent No.2 got married to petitioner No.1 on 2<sup>nd</sup> May, 2013 according to Hindu rites and ceremonies. It is further mentioned in the petition that on 19.11.2014 respondent No.2 filed a criminal complaint against the petitioners which resulted into registration of FIR in question. Thereafter, respondent No.2 also filed petitions under Section 12 of D.V.Act against the petitioner No.1 and his family and under Section 125 Cr.P.C. against the petitioner No.1 for

maintenance. During the pendency of above proceedings, both **the parties have settled all their disputes amicably before Delhi High Court Mediation & Conciliation Centre vide settlement agreement dated 15.01.2016 copy of said settlement has been placed on record as Annexure 'B'.**

3. It is also mentioned in the petition that the marriage between the petitioner No.1 and respondent No.2 has been dissolved on 22<sup>nd</sup> May, 2017 by a decree of divorce by mutual consent passed by the Principal Judge, Family Court, West District, Tis Hazari Courts, Delhi.

4. In terms of full and final settlement arrived at between the parties, today learned counsel for the petitioners has handed over to respondent No.2 a demand draft dated 3<sup>rd</sup> April, 2018 for a sum of ₹1,50,000/-, which the respondent No.2 has accepted. Copy of demand draft has also been placed on record.

5. Respondent No.2 is present in person and submits that she has settled the matter with the petitioners before Delhi High Court Mediation & Conciliation Centre and in terms of said settlement, today she has received ₹1,50,000/- by way of demand draft from the petitioners. Respondent No.2 further submits that she has no objection if the FIR in question is quashed qua the Petitioners.

6. Learned counsel for the petitioners and complainant submit that after the matter in dispute has been amicably settled between the parties, no purpose would be served in prosecuting the petitioners, therefore the FIR in question and criminal proceedings emanating therefrom may be quashed.

7. In view of the legal position laid down in the decision reported as Gian Singh v State of Punjab & Anr. 2012 (9) SCALE 257 and the amicable

settlement arrived at between the parties before the Mediation Centre, I am of the considered view that no useful purpose would be served by continuing the criminal proceedings against the petitioners, which will only be an exercise in futile and wastage of precious time of the Court.

8. Accordingly, the petition is allowed and FIR No.745/2014 under Sections 498-A/406/34 IPC, P.S. Nihal Vihar, Delhi and consequential proceedings arising therefrom are hereby quashed. The Parties shall be bound by the terms and conditions of settlement arrived at before Mediation Centre, Delhi High Court, copy of which is placed on record as Annexure 'B'.

Order dasti.

**PRATIBHA RANI, J.**

**MAY 04, 2018**

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