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

+ CRL.M.C. 6087/2018 & CrI.M.A. No.48578/2018 (for exemption)

GOVIND MALIK @ SACHIN & ORS Petitioners
Through Mr.Vasu Singh, Adv. with
petitioners in person.

versus

THE STATE (NCT OF DELHI) & ANR Respondents
Through Mr.Raghuvinder Verma, APP for
the State.
SI Pukhraj, PS Prashant Vihar.
Mr.Rakesh Chahar, Adv. with R-2
in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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03.12.2018

1. Vide the present petition u/s 482 Cr.P.C, the petitioners seek quashing of FIR No.424/2016 under Sections 498A/406/34 IPC registered at P.S. Prashant Vihar, Delhi and all proceedings emanating therefrom, based on a settlement dated 19th September, 2017, arrived at by the parties with the assistance of the Counselling Cell of the learned Family Court, Rohini, Delhi.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 19th January, 2014 as per Hindu rites and ceremonies. However, due to temperamental differences, the petitioner no.1 and respondent no.2 could not adjust with each other and the respondent no.2 not only

left her matrimonial home soon after the marriage but also filed a complaint against the petitioners with the Crime against Women Cell on 28th October, 2017 which led to the registration of the captioned FIR.

3. Learned counsel for the petitioners further submits that the parties have subsequently with the intervention of the Counselling Cell of the learned Family Court, Rohini, Delhi, resolved their disputes and have entered into a settlement dated 19th September, 2017, whereunder the petitioner no.1 and respondent no.2 have decided to part ways amicably. As a consequence thereof, the marriage between the petitioner no.1 and respondent no.2 already stands dissolved by a decree of divorce passed on 17th March, 2018 and the entire agreed amount of Rs.20,00,000/- has already been paid to the respondent no.2. He also states that the petitioners are willing to pay any costs that may be directed by this Court. 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. The respondent no.2 is also duly represented by counsel. I have 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 already received the entire agreed amount and does not want the aforesaid criminal proceedings to continue as she wants to move on in life and, therefore, does not want any further acrimony with the

petitioner.

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 am of the considered opinion that no useful purpose will be served in continuing the criminal proceedings when the parties themselves want to move on in life. The ends of justice demand that the FIR and consequential proceedings be quashed.

6. Accordingly, the petition is allowed and the captioned FIR and all consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.50,000/- as costs to the Home for Leprosy & T.B. Affected Beggars, Tahir Pur, Shahdara, Delhi-110 093, within six weeks. A copy of this order be sent to the Superintendent, Home for Leprosy & T.B. Affected Beggars for information. A copy of the receipt of payment of costs will be handed over to the Investigating Officer for production before the Trial Court.

7. The petition and pending application are disposed of in the above terms.

REKHA PALLI, J

DECEMBER 03, 2018/aa