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

+ CRL.M.C. 6038/2018 & CrI.M.A. No.48364/2018 (for exemption)

ANNU AWANA & ORS

..... Petitioners

Through: Mr.J.S. Kanwar, Adv. with petitioners
in person.

versus

STATE & ANR.

..... Respondents

Through: Mr.Raghuvinder Verma, APP with SI
Brij Mohan, PS M.S. Park.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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30.11.2018

1. Vide the present petition u/s 482 Cr.P.C, the petitioners seek quashing of FIR No.183/2012 u/s 498A/406/506/34 IPC registered at Police Station Mansarovar Park, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties before Mediation Centre, Karkardooma Courts, Delhi on 04.05.2018.

2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 14.02.2010 as per Hindu rites and ceremonies. However, due to temperamental differences, the parties could not reside together and respondent no.2 left her matrimonial home in August, 2010, whereafter, the respondent no.2 had filed a complaint against the petitioners which led to the registration of the captioned FIR.

3. Learned counsel for the petitioners submits that the parties have now, under the aegis of the Mediation Centre, Karkardooma Courts Courts, Delhi, resolved their disputes amicably and entered into a settlement on 04.05.2018. He submits that as per the settlement deed dated 04.05.2018, the petitioner no.1 and respondent no.2 have decided to part ways amicably. He further submits that as a result of the settlement, the marriage between the petitioner and respondent no.2 stands dissolved by a decree of divorce passed by the learned Family Courts, Shahdara, Karkardooma Courts, Delhi on 15.07.2016. The petitioner has already paid the entire agreed amount to respondent no.2 and, 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 aforesaid settlement without any coercion. She further states that she has 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 petitioners. She also therefore, prays that the aforesaid 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 present FIR emanates from a matrimonial dispute, which now stands resolved between the parties, no useful purpose will be served in

continuing the criminal proceedings especially when the complainant herself does not want the proceedings to continue as she wants to move on in life. In my view, the ends of justice demand that the FIR and consequential proceedings emanating therefrom, be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and proceedings emanating therefrom are quashed, subject to the petitioners paying Rs.25,000/- to the Delhi Police Martyr's Fund, A/C No.18200110036907, UCO Bank, Delhi, IFSC Code UCBA0001820 within two weeks from today. A copy of the receipt of costs will be handed over to the Investigating Officer for production before the Trial Court.

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

REKHA PALLI, J

NOVEMBER 30, 2018

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