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

+ **CRL.M.C. 6173/2018 & CrI.M.A. No.48888/2018**

LOKENDER SINGH & ORS

..... Petitioners

Through: Mr.Subhash Solanki & Mr.Nitin
Phogat, Advs. with petitioners in
person.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Mr.Mukesh Kumar, APP with SI G.
Dalal, PS Mehrauli
Mr.Dinesh Kumar, Adv. for R-2 with
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **05.12.2018**

1. Vide the present petition u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.0382/2017 u/s 498A/406/34 IPC registered at Police Station Mehrauli, Delhi and all proceedings emanating therefrom, on the basis of a settlement arrived at between the parties before the Mediation Centre, Saket Courts, New Delhi on 02.02.2018.
2. Learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 13.07.2016 as per Hindu rites and ceremonies at Mallu Farm, Chattarpur, New Delhi. However, due to temperamental differences, they could not reside together and the respondent no.2 left her

matrimonial home on 01.12.2016, whereafter she made a complaint against the petitioners leading to the registration of the captioned FIR.

3. Learned counsel for the petitioners submits that the parties have now resolved all their disputes amicably under the aegis of the Delhi Mediation Centre, Saket Courts, New Delhi and have entered into a settlement on 02.02.2018. Pursuant thereto, the marriage between the petitioner no.1 and the respondent no.2 stands dissolved by a decree of divorce passed by the learned Family Court, Saket, New Delhi on 01.09.2018. Furthermore, the entire agreed amount of Rs.35 lakhs has already been paid to the respondent no.2. She submits that the petitioners are willing to pay any costs that may be directed by the Court 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. The respondent no.2 is also represented by a counsel. I have also interacted with the respondent no.2, who states that she has decided to resolve her differences with the petitioners out of her own free will and has entered into the aforesaid settlement without any coercion. She also states that she has received the entire agreed amount of Rs.35 lakhs and does not want the aforesaid criminal proceedings to continue as it will not only cause further acrimony between the parties but will also cause hardship to her. She, 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 amicably between the parties, no useful purpose will be served in continuing the criminal proceedings, especially when the respondent no.2/complainant herself states that she wants to move on in life and does not want the criminal proceedings to continue any further. The ends of justice demand that the captioned FIR and consequential proceedings 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 a sum of Rs.1 lakh/- as costs to the Delhi High Court Bar Association Employees Welfare Fund within six weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer for record.

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

REKHA PALLI, J

DECEMBER 05, 2018

gm