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

+ CRL.M.C. 6234/2018 & CrI.M.A. No.49213/2018

CHANDER PRAKASH & ORS

..... Petitioners

Through Mr.M.M. Singh, Adv. with petitioners
in person.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Through Mr.Mukesh Kumar, APP for the
State.

Mr.Deepanker Mohan, Adv. &
Mr.Pranav Sinha, Adv. with
Respondent no.2 in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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10.12.2018

1. Vide the present petition filed u/s 482 Cr.P.C., the petitioners seek quashing of FIR No.202/2016 registered u/s 498-A/406/34 IPC at Police Station Timarpur, Delhi on the basis of a settlement dated 21st March, 2018 arrived at between the parties before the Delhi Mediation Centre, Tis Hazari Courts, Delhi.

2. Learned counsel for the petitioners submits that the marriage between the petitioner No.1 and the respondent No.2 was solemnized on 14th February, 2015 as per Hindu rites and ceremonies. However, due to temperamental differences, the parties could not reside together and the respondent no.2 left her matrimonial home on 15th August, 2015. Thereafter, the respondent no.2 filed a complaint against the

petitioners leading to the registration of the aforesaid FIR.

3. Learned counsel for the petitioners further submits that now the parties have, under the aegis of the Delhi Mediation Centre, Tis Hazari Courts, Delhi, mutually resolved their disputes and have decided to part ways amicably. He further states that the marriage between the petitioner no.1 and respondent no.2 already stands dissolved by a decree of divorce passed on 1st October, 2018 by the learned Family Court, Tis Hazari, Delhi. He also states that the petitioners volunteer to pay costs as may be directed by this Court. He, therefore, prays that the captioned FIR and all consequential proceedings be quashed.

4. The petitioners as also the respondent No.2 are present in Court and have been identified by their respective parties. The respondent no.2 is represented by counsel. I have interacted with the respondent No.2, who states that she has resolved her disputes with the petitioners of her own free will and entered into a settlement with them without any coercion. She also states that she wants to move on in life and does not want the criminal proceedings to continue any further, as it will only lead to further acrimony between the parties. She, therefore, prays that the FIR and all consequential proceedings be quashed.

5. I have considered the submissions of learned counsel for the parties and perused the record. Keeping in view the fact that the present FIR emanates from a matrimonial dispute which already stands resolved amicably between the parties as also the fact that the marriage between the petitioner no.1 and respondent No.2 has been

dissolved by a decree of divorce, no useful purpose would be served in continuing the criminal proceedings against the petitioners. In my view the ends of justice demand that the FIR and all consequential proceedings be quashed.

6. For the aforesaid reasons, the petition is allowed and the captioned FIR and all proceedings emanating therefrom are quashed, subject to the petitioners paying a sum of Rs.25,000/- as costs to the Delhi High Court Bar Association Employees Welfare Fund within eight weeks from today. A copy of the receipt of deposit of costs will be handed over to the Investigating Officer.

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

REKHA PALLI, J

DECEMBER 10, 2018/aa