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

+ **CRL.M.C. 6192/2018**

HARMEET SINGH & ORS

..... Petitioner

Through Mr.Vijay, proxy counsel for
Mr.Pradeep, Adv.

versus

STATE (GOVT NCT OF DELHI) & ANR Respondent

Through Mr.Raghuvinder Verma, APP with SI
Suresh Chand, PS Kirti Nagar.

Appearance is not given by counsel for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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06.12.2018

1. Vide the present petition u/s 482 CrPC, the petitioners seek quashing of FIR No.0144/2016 u/s 498A/406/34 IPC registered at Police Station Kirti Nagar, Delhi and all proceedings emanating therefrom, based on a settlement arrived at by the parties.

2. Mr.Vijay, learned counsel for the petitioners submits that the marriage between the petitioner no.1 and the respondent no.2 was solemnised on 18.05.2014 as per Sikh rites and ceremonies, but they could not adjust with each other due to temperamental differences and started living separately w.e.f 24.11.2015. As a result thereof, the respondent no.2 made a complaint against the petitioners leading to the registration of the aforesaid FIR.

3. Mr.Vijay further submits that with the intervention of the elder

members of the family, the parties have now arrived at a settlement, as per which the petitioner no.1 and the respondent no.2 have decided to part ways. Pursuant thereto, a decree of divorce dissolving the marriage between the petitioner no.1 and respondent no.2 has already been passed by the learned Family Court on 03.10.2018 and the entire agreed amount of Rs.7 lakhs has already been paid to the respondent no.2. He submits that the petitioners are willing to bear any costs that may be directed by this 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. 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 settlement without any coercion. She further states that she has received the entire agreed amount and does not want to pursue the aforesaid criminal proceedings as she wants to move on in life and, therefore, does not want any further acrimony with the petitioners.

5. I have considered the submissions of the learned counsel for the parties and perused the record. Keeping in view the fact that the captioned FIR emanates from a matrimonial dispute which now stands resolved between the parties, no useful purpose will be served in continuing the criminal proceedings when the parties themselves have already resolved their differences and want to move on in life. In my view, the ends of justice demand that the FIR and consequential proceedings be quashed.

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

7. The petition is disposed of in the above terms.

REKHA PALLI, J

DECEMBER 06, 2018

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