

\$~6

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

%

Judgment delivered on: 03.01.2018

+ CRL.M.C. 1/2018

TARUN KAPOOR & ORS

..... Petitioners

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. S.G. Asthana and Mr. Jaswant
M., Advocates with petitioners in
person.

For the Respondents : Mr. Arun Kumar Sharma, APP for
State.
SI Anju Tyagi, PS Hari Nagar in FIR
No.900/2015.
ASI Subhash, PS Prashant Vihar.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT
03.01.2018**

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioners seek quashing of the FIR No.900/2015 under Section 498A/406/34 IPC, P.S. Hari Nagar and the consequent proceedings arising therefrom, pending in the Court of Metropolitan Magistrate in Cr. Case No.1125/2017.

2. The petitioner No.1 is the husband of the respondent No.2, the complainant. The petitioner Nos.2 and 3 are the parents of the petitioner No.1 and the petitioner No.4 is the brother of the petitioner No.1.

3. A settlement has been arrived at between the parties, as recorded on 24.01.2017 in matrimonial case being MT No.134/2015, wherein, the petitioner No.1 and the respondent No.2 had agreed to dissolve their marriage by mutual consent. It is stated that both the first as well as the second motion have already been recorded and the final order dissolving the marriage between the parties has been passed on 14.09.2017. In terms of the settlement, the petitioner No.1 had agreed to pay a sum of Rs.10,00,000/- to the respondent No.2 towards all her claims. A sum of Rs.7,00,000/- has already been paid to the petitioner. The balance sum of Rs.3,00,000/- is being paid to the respondent No.2 by way of a Demand Draft No.224097 dated 29.12.2017 drawn on the State Bank of India, Hussainpur, Kapurthala. The said amount is accepted by the respondent No.2, who is present in Court and is identified by the IO.

4. The respondent No.2 submits that she has no objection to the quashing of the FIR and the consequent proceedings and submits that she has amicably settled all her disputes with the petitioners.

5. The disputes inter se the petitioner and respondent No. 2 are personal and not of a serious nature. In view of the settlement arrived

at between the parties and, because the disputes arise out of a matrimonial discord and an amicable settlement has taken place and further that the marriage between the parties has been dissolved by way of mutual consent, I am of the view that no purpose would be served in continuing with the proceedings and ends of justice require that the proceedings be quashed.

6. In view of the above, the petition is allowed. The FIR No.900/2015 under Section 498A/406/34 IPC, P.S. Hari Nagar and the consequent proceedings arising therefrom are, accordingly, quashed.

7. Order *Dasti* under the signatures of the Court Master.

JANUARY 03, 2018
st

SANJEEV SACHDEVA, J