

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

Date of decision: November 18, 2019

+ W.P.(CRL) 3207/2019 & CrI.M.A. 40433/2019

MUKESH & ORS. Petitioners

Through: Mr. Ravinder Singh, Advocate

Versus

THE STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. R.S.Kundu, Standing
Counsel & Ms. Suman &
Mr. Hitesh, Advocates for
respondent No.1/State
Mr. Dhrishti Malhotra,
Mr. Shashank Singh & Mr. Deepak
Kumar, Advocates with respondent
No.2 in person

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Quashing of FIR No. 717/2016, under Sections 498-A/406/34 IPC, registered at police station Jahangir Puri, Delhi is sought by petitioners on the ground that the matrimonial dispute between petitioner No.1-husband and respondent No.2-wife stands amicably settled before Family Courts, North District, Delhi in terms of Settlement Agreement of 12th March, 2018 and decree of divorce has been already granted by the Family Court on 2nd February, 2019.

Notice.

Mr. R.S.Kundu, Standing Counsel for respondent No.1/State submits that respondent No.2 is present in the Court and she has been duly identified to be complainant of FIR in question on the basis of identity proof furnished by her.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved through Family Courts, North District, Delhi and terms of settlement reached between the parties have been fully acted upon as today, she has received the balance settled amount of Rs.1,00,000/- by way of demand draft bearing No.273761, dated 30th September, 2019, drawn on Allahabad Bank, Branch Nangloi, Delhi from petitioners. Respondent No.2 submits that now, no grievance against petitioners survives and so, the FIR in question and proceedings emanating therefrom be quashed.

Since the subject matter of the FIR in question is essentially matrimonial, which stands mutually and amicably resolved between the parties and decree of divorce has been already granted by the Family Court, no useful purpose would be served in continuation of proceedings arising out of FIR in question.

In view of the above, FIR No. 717/2016, under Sections 498-A/406/34 IPC, registered at police station Jahangir Puri, Delhi and the proceedings emanating therefrom, are hereby quashed qua petitioners.

This petition and application stand disposed of.

(BRIJESH SETHI)
JUDGE

NOVEMBER 18, 2019

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