

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

Date of decision: December 10, 2019

+ **W.P.(CRL) 660/2019 & CrI.M.A. 4670/2019**

ARUN MISHRA & ORS.

..... Petitioners

Through: Mr. Tarun Gautam, Advocate with
petitioners in person

Versus

THE STATE & ORS.

..... Respondents

Through: Mr. Rajesh Mahajan, Additional
Standing Counsel for respondent
No.1/State with SI Vivek Lamba
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

Quashing of FIR No. 1187/2015, under Sections 498A/406/34 IPC, registered at police station Vivek Vihar, Delhi is sought in this petition on the basis of Memorandum of Understanding of 19th July, 2016.

Mr. Rajesh Mahajan, learned Additional Standing Counsel for respondent/State submits that petitioners as well as respondent No.2/ complainant of this FIR, are present in the Court and they have been duly identified by the Investigating Officer of this case.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved in terms of Memorandum

of Understanding of 19th July, 2016 and that decree of divorce by mutual consent has been granted by the Family Court on 27th July, 2017.

Respondent No.2 affirms that the matrimonial dispute between the parties has been amicably resolved in terms of Memorandum of Understanding of 19th July, 2016 and that decree of divorce by mutual consent has been granted by the Family Court on 27th July, 2017. She, however, submits that petitioner is frequently making telephonic calls to her as well as her parents and sister inquiring about her and he may be directed not to interfere in her life.

Petitioner No.1/husband undertakes before this Court that he will not make any calls to the family members of respondent No.2 or to her and will also not interfere in the life of second respondent in any manner whatsoever.

In view of aforesaid undertaking furnished by first petitioner, respondent No.2 submits that no grievance against the petitioners survives and, therefore, the proceedings arising out of the FIR in question be brought to an end.

Since the matrimonial dispute stands amicably resolved between the parties, this petition is allowed and FIR No. 1187/2015, under Sections 498A/406/34 IPC, registered at police station Vivek Vihar, Delhi and the proceedings emanating therefrom are quashed *qua* petitioners.

This petition stands disposed of accordingly.

(BRIJESH SETHI)
JUDGE

DECEMBER 10, 2019/r