

\$~74

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

+ CRL.M.C. 4184/2019

AJAY KUMAR & ORS.

..... Petitioners

Through Mr.Rajesh Arora, Adv. with
petitioners in person.

versus

STATE & ANR.

..... Respondents

Through Mr.Panna Lal Sharma, APP for State.
Mr.Pankaj Soni, Adv. for R-2 with R-
2 in person.
SI Sunil PS Subhash Palace.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

%

27.08.2019

Crl. M.A. 34267/2019

Allowed, subject to all just exceptions.

Application is disposed of.

Crl.M.C. 4184/2019

Vide the present petition, the petitioners seek quashing of FIR No.608/2006 dated 03.06.2006 registered at police station Saraswati Vihar instituted for the offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings arising therefrom.

Notice issued.

Notice is accepted by learned APP for the State and counsel for the respondent no.2 and with the consent of the counsel for the parties, the present petition is taken up for final disposal.

The petitioner no.1 and respondent no.2 got married on 17.02.2004 as per Hindu rites and rituals. One child was born out of the wedlock namely Vishay Sharma on 17.02.2005. On 03.06.2006, respondent no.2 lodged FIR for the offences mentioned above against the petitioners.

On 27.07.2019, the petitioners and respondent no.2 with the intervention of their well wishers and relatives entered into an amicable settlement before the Mediation Centre, Rohini Court, Delhi and settled all their disputes amicably.

As per the settlement dated 27.07.2019, the petitioner handed over a draft vide DD No.862514 dated 26.08.2019 issued by Syndicate Bank, Vasant Vihar, Delhi for an amount of Rs.3,00,000/- in favour of respondent no.2 which she has accepted without any dispute. The balance amount shall be given by the petitioners to respondent no.2 as per the settlement deed dated 27.07.2019.

The complainant is present in person with her counsel and has been identified by SI Sunil Kumar and submits that matter has been settled and she does not wish to prosecute the matter any further.

Taking into account the aforesaid facts, this Court is inclined to quash the concerned FIR as no useful purpose would be served in prosecuting the petitioners any further.

For the reasons afore-recorded, the FIR No.608/2006 dated 03.06.2006 registered at police station Saraswati Vihar instituted for the

offences punishable under Sections 498A/406/34 of the IPC and consequent proceedings are quashed.

The petition is allowed accordingly.

Order *dasti* under the signatures of the Court Master.

SURESH KUMAR KAIT, J

AUGUST 27, 2019
ab