

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

Date of decision: December 06, 2019

+ **W.P.(CRL) 2497/2019 & CrI.M.A. 35289-90/2019**

GAGAN SHARMA & ORS. Petitioner
Through: Mr. Daya Nand Sharma, Advocate

Versus

THE STATE & ORS. Respondents
Through: Mr. Ranbir Singh Kudoo,
Additional Standing Counsel,
Mr. Shivom Sohran, Mr. Pawan
Kumar & Ms.Suman Soharan,
Advocates for respondent
No.1/State with Inspector Ratnesh
Kumar
Respondent No.2 in person.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI
JUDGMENT

BRIJESH SETHI, J (oral)

Quashing of FIR No. 1001/2015, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at police station New Usmanpur, Delhi is sought on the ground that the matrimonial dispute between the parties stands amicably resolved in terms of mediated settlement of 2nd June, 2018 reached through Delhi Mediation Centre, Karkardooma Courts, Delhi.

Learned 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 on the basis of identity proof furnished by them.

Respondent No.2, present in the Court, submits that the dispute between the parties has been amicably resolved in terms of mediated settlement of 2nd June, 2018 reached through Delhi Mediation Centre, Karkardooma Courts, Delhi and terms thereof have been fully acted upon as today, she has received the balance settled amount of Rs.1,50,000/- by way of demand draft bearing No.239213, dated 3rd December, 2019, drawn on Punjab National Bank, Branch Bhajanpura, Delhi from petitioners. Respondent No.2 submits that decree of divorce has been granted by the Family Court on 12th September, 2018 and 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. 1001/2015, under Sections 498-A/406/34 IPC and Section 4 of Dowry Prohibition Act, registered at police station New Usmanpur, Delhi and the proceedings emanating therefrom, are hereby quashed qua petitioners.

This petition and applications stand disposed of.

(BRIJESH SETHI)
JUDGE

DECEMBER 06, 2019

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