

\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3390/2018**
ANIL & ORS Petitioners

Through: Mr. Varun Kumar, Advocate

versus

STATE (NCT OF GOVT OF DELHI) & ANR..... Respondents
Through: Mr. Kamal Kumar Ghai, APP
with SI Suman, PS:Vijay Vihar,
Delhi

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

29.04.2019

1. The petitioners have filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 read with Article 227 of the Constitution of India for quashing of FIR No.1103/2015, under Sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC'), registered at P.S.: Vijay Vihar, Delhi and the proceedings emanating therefrom.

2. The petitioners and their counsel as well as respondent No.2 submitted that the parties have settled their disputes on their own free will, without any force or coercion before the Judge, Family Court, Rohini on 6.8.2015. It is also submitted that the marriage between the petitioner No.1 and respondent No.2 has been dissolved by mutual consent under Section 13B(2) of the Hindu Marriage Act, 1955 vide a decree of divorce dated 9.2.2016.

3. Respondent No.2, who is present in Court, has reiterated the aforesaid facts and submitted that since the matter stands settled and nothing is due and payable from the petitioners, she has no objection to the petition being allowed and the FIR being quashed.

4. The Investigating Officer ('IO'), who is present in Court, has identified the petitioners as well as respondent No.2 and has also verified the settlement.

5. In view of the aforesaid circumstances, the settlement arrived at between the parties and the dissolution of marriage, this Court is of the view that no fruitful purpose would be served in keeping the parties entangled in the criminal proceedings. Accordingly, in the interest of justice, FIR No. 1103/2015, under Sections 498-A/406/34 of the IPC, registered at P.S.: Vijay Vihar, Delhi and the proceedings emanating therefrom are quashed.

6. Petition is disposed of in the above terms.

CHANDER SHEKHAR, J

APRIL 29, 2019

tp