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

+ CRL.M.C. 4822/2018

SH. GABBAR SINGH

..... Petitioner

Through: Mr. Jai Prakash Sharma, Adv.

versus

GOVT. OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP for State.

None for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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07.03.2019

Petitioner's son was married to respondent no.2 according to Hindu rites and ceremonies on 26.02.2015. With the passage of time, relations between respondent no.2 and petitioner's son were strained. FIR No. 124/2017 under Sections 354/354(A)/509 IPC was registered at police station Burari against the petitioner on 17.03.2017, on the complaint of respondent no.2. On 09.10.2017 a settlement was arrived at between the respondent no.2 and petitioner's son before the Delhi Govt. Mediation & Conciliation Centre. Marriage between respondent no.2 and petitioner's son has already been dissolved by a decree of divorce dated 15.11.2018 passed by the Family Court, Central District, Tis Hazari Court, Delhi. Certified copy of the decree of divorce has been placed on record. A perusal of

judgment dated 15.11.2018 makes it clear that respondent no.2 and petitioner's son had undertaken to cooperate with each other in getting the FIR No. 124/2017 of police station Burari quashed. Respondent no.2 had appeared in this Court on 30.10.2018 along with her father and stated that the present petition may be taken up after the second motion is accepted. She did not object to the quashing of FIR, after second motion is accepted by the Family Court. Second motion has already been accepted and decree has been passed, a photocopy whereof has been placed on record.

Accordingly, I am of the view that no fruitful purpose would be served in keeping the criminal proceedings pending in view of the fact that marriage between the petitioner's son and respondent no.2 has already been dissolved by a decree of divorce, pursuant to the settlement, terms whereof have even been complied with. Accordingly, in the interest of justice, aforesaid FIR and the consequent proceedings emanating therefrom are quashed.

Petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

MARCH 07, 2019

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