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

+ CRL.M.C. 5469/2019

NAVEEN KHATRI & ORS

..... Petitioners

Through: Mr.Radhey Shyam Sharma, Advocate

versus

THE STATE & ANR

..... Respondents

Through: Mr.Sanjeev Sabharwal, APP for
respondent-State with WSI Anita
Respondent No.2 in person

CORAM:

HON'BLE MS. JUSTICE SANJEEV NARULA

ORDER

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26.02.2020

1. Vide the present petition, the petitioners seek the quashing of the FIR No.619/2015, PS Baba Haridas Nagar, registered under Sections 498A/406/34 of the Indian Penal Code, 1860, submitting to the effect that a settlement has been arrived at between the petitioners and the respondent no.2 and that no useful purpose would be served by the continuation of the proceedings in the present FIR.

2. Brief facts of the case giving rise to the present petition are that the marriage between petitioner no. 1 and respondent no. 2 was solemnized on 27.11.2017 as per Hindu rites and customs. However, due to matrimonial discord, the parties started residing separately and respondent no. 2 filed a complaint against the petitioners with the

CAW Cell. Subsequently, the FIR No. 619/2015 was registered against the petitioners under sections 498-A/406/34 IPC at PS Baba Haridas Nagar, New Delhi. During the course of proceedings in MT No. 319/2017, the parties amicably settled the matter before the Principal Judge, South-West District, Family Court, Dwarka, New Delhi vide Settlement dated 17.01.2018 and the marriage was dissolved by mutual consent vide decree dated 02.05.2018 in HMA NO. 1094/2018.

3. The Investigating Officer of the case is present and has identified the petitioners as being the accused arrayed in the FIR in question and has also identified the respondent no.2.

4. The respondent no.2 has produced her original proof of identity, photocopy of which is on the record and on query by the Court, she affirms having signed her affidavit in support of the averments made in the petition as well as the settlement dated 17.01.2018. She states that she has signed all these documents voluntarily of her own accord without any duress, coercion or pressure from any quarter.

5. She further states that in terms of the settlement between her and the petitioner no.1, a total sum of Rs.7,00,000/- has been paid to her by the petitioner No.1 towards all her claims and no further amount is due or payable. The Respondent No.2 further states that she understands the implications of the statement made by her and further states that she does not oppose the prayer made by the petitioners seeking the quashing of the FIR in question nor does she want the

petitioners to be punished in relation thereto.

6. There is no opposition by the State to the prayer made by the petitioners seeking the quashing of the FIR in question, in view of the settlement arrived at between the parties.

7. In as much as the FIR has apparently emanated from a matrimonial discord between the parties which has been resolved by the dissolution of marriage between petitioner no.1 and respondent no.2 and all the claims having been settled, it is considered appropriate to put a quietus to the litigation and disputes between the parties, for maintenance of peace and harmony between them as also for the well being of the respondent no.2.

8. In view thereof, the FIR in question and all consequential proceedings emanating therefrom against the petitioners are thus quashed.

9. The petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 26, 2020

v